

Planning Report

Meenbog Wind Farm,
Co. Donegal





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Prepared By: **MKO
Tuam Road
Galway
Ireland
H91 VW84**



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1.

EXECUTIVE SUMMARY

MKO has been appointed by Planree Ltd, ('the Applicant'), to prepare and lodge this planning application to An Coimisiún Pleanála (the 'Commission') under Section 177E of the Planning and Development Act, 2000 (as amended) (the 'Act'). This planning application consists of two elements one being a retrospective element which pertains to the 'Existing Development' for which substitute consent is being sought and the other element being forward-looking which pertains to the 'Prospective Development' for which planning permission is being sought.

The Subject Development is a combination of both the Existing Development and the Prospective Development, to which this planning application pertains. The Existing development relates to all elements of the Subject Development which has been constructed to date, and the Prospective Development relates to the completion of the construction, operation and decommissioning of the Subject Development.

This planning application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and remedial Natura Impact Statement (rNIS) which relate to the Existing Development. This planning application is also accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) which relate the Prospective Development.

Planning permission was granted at this site via the Strategic Infrastructure Development (SID) process, pursuant to Section 37G of the Planning and Development Act 2000, as amended, for a 19-turbine wind farm development in Meenbog and adjacent townlands, Co. Donegal (ABP Ref: PA05E.300460) on 25th June 2018 (as amended by ABP Ref-303729 which allowed for turbines with a larger rotor diameter) (the Permitted Development).

The necessity for this planning application arises from a High Court decision on the 10th April 2024 ([2024] IEHC 193) which was upheld by the Court of Appeal on December 18th 2024 ([2024] IECA 300), and which determined that material deviations from the plans approved under the Permitted Development necessitate the regularisation of all works undertaken to date by way of a planning application. This planning application is made under Section 177E of the Planning and Development Act 2000 (as amended) i.e. the 'Existing Development'. Section 177E provides a statutory mechanism for seeking substitute consent in respect of development for which planning permission has been granted and permits such applications to relate to development that has been carried out and/or development that remains to be carried out.

This planning application relates to both the Existing Development and the Prospective Development, associated with the previously permitted Meenbog Wind Farm (ACP Ref: 300460) (the Permitted Development), and therefore, constitutes a development '*for which planning permission has been granted*', and therefore it is appropriately made in accordance with Section 177E (2A) and (2B) of the Planning and Development Act, 2000 (as amended).

A review of national, regional and local planning policies was undertaken in the context of the assessment of the Meenbog Wind Farm. The Permitted Development was granted planning permission in 2018 and as such the principle of wind energy development at the location of Meenbog Wind Farm has been established. Policy support for the continued deployment of renewable energy developments continues to exist at all levels of the planning policy hierarchy. The Subject Development, to which this planning application relates, aligns with this policy support against the backdrop of a consented wind energy development.

The statutory requirements in respect of planning applications for, or which include, substitute consent, require the Commission to be satisfied that exceptional circumstances exist that would justify a grant of substitute consent (as set out in Section 177K(1J) of the Planning and Development Act 2000 (as amended)). Section 8 of this Planning Report provides an analysis of the Existing Development in the context of the exceptional circumstances test.

The Subject Development facilitates the regularisation and completion of construction, operation and decommissioning of the Meenbog Wind Farm, thereby ensuring its successful operation for a 25-year period. If fully operational today, the Meenbog Wind Farm would be amongst the five largest operating wind farms in Ireland and would thereby make a significant contribution to increased renewable energy generation, and consequently towards meeting future renewable energy, climate change and emissions reduction targets.

As this planning application for the Subject Development is made under Section 177E of the Planning and Development Act, 2000, (as amended), the application is not subject to the provisions of the European Union (Planning and Development) (Renewable Energy) Regulations 2025. However, it must be noted, that the wording of Renewable Energy Directive III (Directive 2023/2413) (the RED III Directive) is broad. Article 16 of RED III requires Member States to introduce expedited permit-granting procedures for all relevant administrative permits to build, repower and operate renewable energy plants as well as assets necessary for the connection of such plants to the grid, including grid-connection permits. The revised Article 16f of the Renewable Energy Directive classifies the planning, construction and operation of renewable energy plants, the connection of such plants to the grid, the related grid itself, and storage assets are presumed as being in the overriding public interest. As Article 16 is broad ranging; the language makes clear that it is intended to apply to all administrative permits for renewable energy development. There is no carve out for retrospective applications for renewable development and therefore the expedited procedure should equally extend to applications for substitute consent under section 177E. Therefore, it is imperative that resources are prioritised for this application to ensure it is expedited efficiently.

2.

INTRODUCTION

This Planning Report has been prepared by MKO on behalf of Planree Ltd. (the Applicant) to accompany this planning application to An Coimisiún Pleanála (the Wil) under Section 177E of the Planning and Development Act, 2000 (as amended). The Subject Development pertaining to this planning application consists of two elements, one being a retrospective element which pertains to the 'Existing Development' for which substitute consent is being sought and the other element being forward-looking which pertains to the 'Prospective Development' for which planning permission is being sought. The necessity for this planning application arises from a High Court decision on the 10th April 2024 which was upheld by the Appeals Court on December 18th 2024, and which determined that material deviations from the plans approved under the Permitted Development necessitate the regularisation of all works undertaken to date by way of an application for substitute consent.

Chapter 1 of the EIAR and rEIAR, sets out detailed terminology that is used throughout all application documentation, the following terminology applies to the Subject Development;

- **Existing Development** – Refers to all works carried out to date for the Meenbog Wind Farm.
- **Prospective Development** – Refers to all works necessary to complete construction, operate, and ultimately decommission the Meenbog Wind Farm.
- **Subject Development** – Comprises both the Existing Development and the Prospective Development, and shall be known as the Meenbog Wind Farm.
- **The Site** – Refers to the application site boundary for the Subject Development as illustrated in red on Figure 1-1 of the EIAR. It comprises the Wind Farm Site, Grid Connection Site, and BMEP Site combined.
- **Permitted Development** - Refers to the 19-turbine wind farm and ancillary infrastructure originally granted permission under ABP-300460-17 (and subsequent amendments) and included the Grid Connection under planning condition no. 1.
- **Wind Farm Site** - Refers to the area of the Site surrounding the wind turbines and associated infrastructure (including the onsite 110kV substation) from the wind farm site entrance off the N15 National Road.
- **BMEP Site** - Refers to the areas of the Site to be managed for hen harrier habitat and peatland habitat enhancement.
- **Grid Connection Site** - Refers to the area of the Site surrounding the Grid Connection from the Wind Farm Site entrance off the N15 National Road to the Clogher 110kV substation.

Substitute consent is sought for the Existing Development which includes:

- Upgrading of access junctions, tracks and roads, and construction of new site access roads;
- 18 no. wind turbine foundations and hardstand areas at various stages of development;
- A 110kV Electrical substation with 2 no. control buildings (with a combined floor area of 398.1 sqm) with welfare facilities, associated electrical plant and apparatus, security fencing and underground wastewater holding tank;
- 110kV underground grid connection cabling (including joint bays, communication chambers, earth sheath links, and ancillary works along the underground electrical cabling route) connecting the wind farm 110kV substation to the Clogher Substation in the townland of Cullionboy. This cabling route is primarily located within the public road corridor;
- Internal wind farm underground cabling at various stages of development;
- 2no. temporary construction compounds (including 4 no. temporary site offices with a combined floor area of 66 sqm and 1 no. temporary security cabin with a floor area of 30.5 sqm);
- 3no. borrow pits;
- Peat and spoil management;
- Forestry felling;
- Site drainage and sediment control measures; and
- All associated site development works.

Planning permission is sought for the Prospective Development which includes:

- 19 no. wind turbines, with an overall tip height of 156.5m, rotor diameter of 133m, and wind turbine hub height of 90m, and 1 no. meteorological mast with a height of 80m, and subsequent decommissioning of the wind turbines and meteorological mast, following a twenty five-year operational period from the date of full commissioning of the wind farm;
- The completion of upgraded access junctions, tracks and roads, and construction of new site access roads;
- The completion of construction of all 19 no. wind turbine foundations and hardstand areas, and the construction of a meteorological mast foundation;
- Completion of internal wind farm underground ducting and cabling;
- Continued use of and upgrade of 2 no. temporary construction compounds (including 3 no. temporary site offices with a combined floor area of 121.5 sqm);
- Continued use and extraction at the 3 no. borrow pits;
- Peat and spoil management, including site landscaping;
- Forestry felling;
- Site drainage and sediment control measures;
- Biodiversity enhancement measures (including peatland habitat restoration and Hen Harrier habitat areas);
- Recreation and amenity works (including carpark, play, picnic & amenity areas and pedestrian access paths to the wind farm roads);
- Operational stage site signage; and
- All associated site development works.

As per the development description, the applicant is seeking an operational period of twenty-five-years for the wind turbines, meteorological mast and site signage from the date of full commissioning of the wind farm. The remainder of the elements set out above in respect of both the Existing Development and the Prospective Development will not be decommissioned as set out in the Decommissioning Plan, which is included as Appendix 4-7 of the EIAR.

The purpose of this Planning Report is to outline the background to the Subject Development, the key elements of the proposal and to demonstrate that it complies with all relevant planning policy provisions and is in accordance with the proper planning and sustainable development of the area.

This planning application is made to the Commission pursuant to Section 177E of the Planning and Development Act, 2000 (as amended). Section 177E provides a statutory mechanism for seeking substitute consent in respect of development for which planning permission has been granted and permits such applications to relate to development that has been carried out and/or development that remains to be carried out.

This planning application relates to both the Existing Development and the Prospective Development, associated with the previously permitted Meenbog Wind Farm (ACP Ref: 300460) (the Permitted Development), and therefore, constitutes a development '*for which planning permission has been granted*', and therefore it is appropriately made in accordance with Section 177E (2A) and (2B) of the Planning and Development Act, 2000 (as amended). Please see attached letter from A&L Goodbody LLP setting out the basis for consent to be sought for substitute consent and completion of the Meenbog Wind Farm in a single application in Appendix 4.

2.1

Report Structure

Section 1: Executive Summary

Section 2: Introduction

Section 3: Project Background

<u>Section 4:</u>	Project History
<u>Section 5:</u>	Pre-Application Consultation
<u>Section 6:</u>	Section 177E of the Planning & Development Act
<u>Section 7:</u>	Planning Policy Appraisal
<u>Section 8:</u>	Variations between Permitted Development and Subject Development
<u>Section 9:</u>	Justification of Exceptional Circumstances
<u>Section 10:</u>	Planning Assessment
<u>Section 11:</u>	Conclusion

3. PROJECT BACKGROUND

3.1 The Applicant

The Applicant for the Subject Development, Planree Ltd., is an associated company of Enerco Energy Ltd., which is an Irish owned, Cork based company with extensive experience in the design, construction and operation of wind energy developments throughout Ireland, responsible for projects currently operating or under construction in Counties Cork, Kerry, Limerick, Clare, Galway, Mayo and Donegal. By the end of 2025, Enerco associated companies had over 975 Megawatts (MW) of wind generating capacity in commercial operation or under construction and have a further c.400MW of projects at various stages in its portfolio to assist in meeting Ireland's renewable energy targets. Enerco associated companies are responsible for approximately 15% of the national wind energy generating capacity.

3.2 Site Location and Context

The Site, which refers to the three distinct elements – the Wind Farm Site, the Grid Connection Site, and the Biodiversity Management Enhancement Plan (BMEP) Site, measures approximately 1,000 hectares (ha) within the townlands of Meenbog, Croaghonagh (Ardinawark, Keadew Upper, Keadew Lower, Cullionboy, Cashelnavean, Tawnawully Mountains, Friarsbush and Tievecloghoge. The Site is approximately 8km southwest of the twin towns of Ballybofey and Stranorlar and approximately 8km northeast of Donegal Town. The Site adjoins Northern Ireland border along its eastern and south-eastern boundaries. The Site adjoins County Tyrone and is located approximately 19km west of Castlederg. A site location map is presented in Figure 3-1 below.

3.2.1 Wind Farm Site

The Wind Farm Site, which refers to the area of the Site surrounding the wind turbines and associated infrastructure (including the onsite 110kV substation) from the wind farm site entrance off the N15 National Road, is located in County Donegal, approximately 8 km southwest of the twin towns of Ballybofey and Stranorlar and approximately 12 km northeast of Donegal Town.

The Wind Farm Site covers an area of approximately 892 ha, within the townlands of Meenbog and Croaghonagh. The Wind Farm Site borders County Tyrone in Northern Ireland, specifically the administrative division of Omagh West, Barony of Termonamongan and the townlands of Slievadoo, Meenakeeran, and Sixth Corgary or Second Croagh along the Southeast of the Wind Farm Site boundary. The Wind Farm Site lies within four Electoral Divisions (EDs); Goland, Dooish, Tawnawully and Clogher, in County Donegal. Current land-use at the Wind Farm Site is comprised of the partially constructed Meenbog Wind Farm and areas of commercial forestry and blanket bog. The surrounding land-use predominantly comprises peat bogs, commercial forestry and other seminatural areas with limited residential use along local roads, as well as a quarry adjacent to the Wind Farm Site entrance off the N15 National Road.

The elevation of the Wind Farm Site is between approximately 180 metres above Ordnance Datum (mOD) and 313 mOD, with elevations on the Wind Farm Site generally decreasing and sloping in a north or north-westerly direction. A small section to the south of the Wind Farm Site slopes to the southeast. The Wind Farm Site is generally bordered on all sides by forestry plantations, with the southeastern boundary also being defined by the Northern Ireland border. The Wind Farm Site drains directly to the Bunadowen River and the Shruhanganarve stream, which flow to the north, each of which are tributaries of the larger Mourne Beg River that proceeds to flow downstream into the River Derg. The Wind Farm Site also drains into the Glendergan River to the south-southeast, which is also a tributary of the River Derg.

Existing access is from the N15 National Road in the northwest of the Wind Farm Site and the L-6554 Local Road to the north of the Wind Farm Site. The N15 National Road runs south-west to north-east with the Wind Farm Site lying to the east of the road.

There are 3 no. habitable houses located within one kilometre of the proposed turbine locations, the closest being a holiday cottage located 750 metres (m) northwest of the nearest proposed turbine location.

3.2.2 Grid Connection Site

The Grid Connection Site has a total area of approximately 9 ha and extends from the Wind Farm Site entrance along the N15 National Road to the Clogher 110kV substation, approximately 6.5 km southwest of the onsite 110kV substation. Within the Grid Connection Site, the Grid Connection underground cabling route originates at the onsite 110kV substation within the Wind Farm Site and travels to the northwest along an existing wind farm access road. The Grid Connection then exits the Wind Farm Site entrance and follows the N15 southwest for approximately 6 km, before exiting the N15 National Road onto the L-2595 Local Road. It is then routed southeast along the L-1985 Local Road and through agricultural lands adjacent to the L-1985 before continuing along and adjacent to a private road to reach the Clogher 110kV substation.

The Grid Connection Site traverses the townlands of Ardinawark, Keadew Upper, Keadew Lower, Cullionboy, Cashelnavean, Tawnawully Mountains and Friarsbush.

3.2.3 BMEP Site

The Biodiversity Management and Enhancement Site (BMEP Site) covers an area of approximately 117 ha. The BMEP Site is comprised of two parcels of land both contained entirely within the townland of

Tievecloghoge, referred to as Parcel 1 (to the east) and Parcel 2 (to the west), which have a combined area of approximately 117 ha, ~108 ha of which are intended for enhancement. Land use on the BMEP Site within Parcel 1 and Parcel 2 currently comprises coniferous forestry and associated forestry access tracks, which is proposed to be felled and converted to peatland and scrub habitats. Site access to Parcel 1 is via a new access track located along the L-65242 Local Road, whilst site access to Parcel 2 is via an existing access track (to be extended and upgraded) located along the L-2974 Local Road. Parcel 2 is located approximately 2.3km east of the Wind Farm Site, and Parcel 1 is located approximately 4.2km east of the Wind Farm Site. There is an elevation difference of 4m (174 mOD elevation SW to 170 mOD elevation NE) on the BMEP Site.

4.

PROJECT HISTORY

4.1.1

Meenbog Wind Farm Planning History

Planning permission was granted under the Strategic Infrastructure Development (SID) process, pursuant to Section 37G of the Planning and Development Act 2000, as amended, (ABP Ref: PA05E.300460) on 25th June 2018, for a 19 no. turbine wind farm development in Meenbog (and adjacent townlands), Co. Donegal, subject to 20 no. conditions.

The full development description for the purposes of the SID application is set out as follows:

"In accordance with Section 37E of the Planning and Development Act 2000, as amended, Planree Limited gives notice of its intention to make an application for a ten year planning permission to An Bord Pleanála in relation to the following proposed Development in the townlands of Meenbog (ED Goland), Croaghonagh and Cashelnavean, County Donegal.

The proposed development will constitute the provision of the following:

- (i) Up to 19 no. wind turbines with a generating capacity in excess of 50MW, and maximum overall ground to blade tip heights of up to 156.5 metres;*
- (ii) 1 no. permanent Meteorological Mast up to a maximum height of 110 metres;*
- (iii) 1 no. 110kV Electrical substation with 2 no. control buildings with welfare facilities, associated electrical plant and equipment, security fencing and waste water holding tank;*
- (iv) Internal wind farm underground cabling;*
- (v) 110kV underground grid connection cabling;*
- (vi) Upgrade of access junctions;*
- (vii) Upgrade of existing tracks, roads and provision of new site access roads and hardstand areas;*
- (viii) 3 no. borrow pits;*
- (ix) 2 no. temporary construction compounds;*
- (x) Recreation and amenity works, including marked trails (upgrade of existing tracks and provision of new tracks), picnic, amenity and play areas, car parking and vehicular access;*
- (xi) Site drainage;*
- (xii) Forestry Felling;*
- (xiii) Permanent signage;*
- (xiv) All associated site development and ancillary works.*

This application is seeking a ten-year permission and 30year operational life from the date of commissioning of the wind farm.

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the Subject Development. The proposed development is likely to have significant effects on the environment of Northern Ireland."

Condition No. 1 of ABP Ref 300460, clarified that the permission included the underground grid connection to Clogher substation. Condition No. 1 states –

'The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. For the purposes of clarity, the Board considered and is granting permission for the proposed independent underground cabling grid connection from the proposed development at Cashelnavean to connect to the Clogher substation that was

included in the environmental impact assessment report. Where conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars'

The permission was altered on 7th June 2019, in accordance with section 146B(3)(a) of the Act, ABP-303729-19. The alteration included the lengthening of the blades of the proposed turbines while remaining within the previously permitted tip height of 156.5 metres. The permission granted under ABP Ref: PA05E.300460 (and amended under ABP-303729-19) shall be referred to as the Permitted Development.

Following the November 2020 Peat Slide, a detailed retrospective comparison between what had been built and what was permitted, was undertaken by Planree Ltd. and by Donegal County Council (DCC). Planree Ltd. also engaged MKO to prepare an Environmental Report (ER) to consider and assess the effect of identified deviations, individually and cumulatively. In April 2022, DCC advised Planree Ltd. that there were a number of deviations from the original planning permission that required regularisation via the substitute consent process.

An initial review undertaken by SLR Consulting, on behalf of DCC, identified a total of 47 no. potential deviations between the as-constructed windfarm infrastructure and the development permitted under the original planning consent for the Meenbog Windfarm. As part of the determination of appropriate scope for a substitute consent application relating to material deviations, a detailed technical and ecological review of these items was subsequently undertaken by MKO, including examination of construction drawings, site records and aerial imagery. This process determined that a number of the initially identified items did not constitute material deviations, as they related to temporary construction infrastructure, existing forestry features, or minor variations within normal construction tolerances that did not alter the permitted development or give rise to additional ecological effects. Following this screening exercise, the remaining deviations represented those elements that extended beyond the consented development or had potential ecological implications and therefore required further planning assessment, resulting in a reduced list of 25 no. deviations for consideration under the substitute consent process. See Appendix 5 of this Report for more information in relation to the Material Deviations from the Permitted Plans.

In April 2022, Planree Limited sought 'Leave to Apply' for substitute consent for 25 no. deviations in July 2022. On the 13th of October 2023, An Coimisiún Pleanála granted the applicant leave to apply for substitute consent under Section 177D(2) of the Act. Subsequently, Planree Ltd. applied for substitute consent for the 25 no. deviations on the 2nd April 2024 (ACP Ref: 319466).

In April 2023, DCC initiated Section 160 proceedings against Planree Ltd to halt site works. These proceedings ended in the High Court who ruled in April 2024 that the entire Meenbog Wind Farm, as built, constituted unauthorised development due to deviations from approved plans. This decision was upheld by the Court of Appeal in December 2024, confirming that the entire project now requires substitute consent. Following the determination from the High Court and the Court of Appeal, Planree Limited withdrew the substitute consent application for the 25 no. deviations (ACP Ref: 319466) on the 21st February 2025.

4.2 Site History

4.2.1 Peat Slide

A comprehensive Geotechnical and Peat Stability Risk Assessment (rEIAR Appendix 8-1 'Peat Stability Assessment Report' prepared by AGECE in December 2017 (AGECE, 2017), was undertaken on behalf of Planree Ltd for the Site which concluded that the Site had an acceptable margin of safety and was suitable for the Existing Development. The findings included recommendations and control measures for construction work in peat lands to ensure that all works adhered to an acceptable standard of

safety. During the construction phase of the Existing Development, peat failures and minor peat instabilities occurred in early June 2020 or before, within the Site. These comprised translational slides of peat that were triggered by arisings (mostly peat) being placed on in situ peat, or failed peat. Following these peat failures, a range of mitigation measures were carried out by the contractor to limit further peat failures. This section of the Planning Report provides a brief overview of the history of the peat slide and contributory causes of the peat slide and follow-up action undertaken to satisfy the Environmental Protection Agency (EPA), who led the multi-agency investigation of the peat slide. A more comprehensive explanation and analysis of the peat slide is provided in Appendix 4-5 of the rEIR that accompanies this planning application.

Construction work commenced on the Meenbog Wind Farm in November 2019. Approximately 90% of the civil engineering works, including wind farm access roads, 110kV electrical substation, Grid Connection, turbine hardstands, turbine foundations, and ancillary works are substantially completed. The on-site substation and associated Grid Connection is fully constructed and energised. The principle of wind energy development at the Wind Farm Site has therefore been established.

On 12th November 2020, during the construction of a permitted access road to turbine T7, a peat slide or peat failure occurred. The works that were underway at the time in the area where the peat slide occurred were fully permitted and were being undertaken in line with the permitted project design that had been subject to both Environmental Impact Assessment (EIA) and Appropriate Assessment (AA).

An assessment of the peat failure prepared by Dr. Paul Jennings of Fehily Timoney and Company, was submitted to and accepted by the EPA. The following items were considered to be the key contributory causes of the peat failure of 12 November 2020. For the peat failure to occur all or at least most of these key contributory factors were required to be present. One or a few of these factors only were considered highly unlikely to cause the scale of the peat failure that occurred.

1. *Construction of floating road. The construction works for the floating road triggered a localised initial peat failure within the underlying insitu peat. It would not be uncommon for sections of floating road to undergo excessive movement due to localised weakening within the underlying peat, however at this location a number of other contributory factors caused an escalation of the initial localised failure.*
2. *Unforeseen zone of weak peat. It is considered that a zone of unforeseen weaker peat was present below the floating road that resulted in localised failure within the underlying insitu peat.*
3. *Body of very weak peat immediately upslope. Essentially immediately upslope of the floating road was a flat plateau area that was partly formed of essentially a large body of notably saturated and very weak peat. This body of saturated and very weak peat relied for lateral stability on the peat slope upon which the floating road was being constructed.*
4. *Rainfall intensity and pattern. A combination of preceding heavy rainfall and the pattern of weather recorded over the preceding months likely contributed to the failure. The failure was not triggered by an intense rainfall event. Whilst there was no clear significant peak rainfall duration period immediately prior to the peat failure, the combination of a significant dry spell (April and May 2020) followed by relatively high daily rainfall amounts (from June 2020 onwards) likely contributed to the peat failure.*
5. *Drainage and surface water ingress into peat. The existing forestry drainage pattern, which is present in the 1995 aerial photographs of the site, in the flat plateau area directed surface water from rainfall towards the body of very weak peat that ultimately failed, notably along a series of parallel drainage ditches aligned south-north which run for about 230m and flow towards the southern limit of the upper scar.*

Whilst these forestry drainage ditches meet an forestry interceptor drainage ditch aligned west-east it is not known if this interceptor ditch was functioning.

6. *Topography. The initiation of the failure occurred at a convex break in the peat slope, at the location of the floating road. A convex break in slope is commonly cited as the location for peat failures for a number of reasons. In this particular case, the convex break in slope marks the transition from a plateau area upslope containing deeper and very weak and saturated peat compared to downslope where the peat is not as deep and has relatively greater strength. At the convex break in slope it is likely that in many cases there is a zone of relatively higher strength peat, due to a greater degree of drainage, that essentially acts to support the very weak and saturated peak present in the plateau area upslope.*
7. *Downslope felled forestry on peat. The area downslope of the floating road comprised a forestry plantation that had been felled a few years in advance of the wind farm construction. The area comprised forestry furrows and drains aligned downslope on peat slopes with a peat depth of about 1.8m. In itself, this area is not unique nor would it represent an increased stability risk. However the presence of furrows and drains aligned downslope on peat slopes, which have severed the acrotelm layer and the likely blockage of drainage following felling operations allowed the slope to readily fail once localised failure was initiated upslope.*
8. *Existing drainage and extent of failure. The existing forestry drainage within the peat is considered to have directed and concentrated surface run-off to the upper scar located in the flat plateau area. To the south of the upper scar a series of parallel drainage ditches (less than about 1m deep) feed water northwards towards the failure scar. Following the failure, inspection of these ditches showed water feeding into the scar.*

As a result of the November 2020 Peat Slide on-site, a multi-agency investigation led by the EPA was initiated in early December 2020. The EPA issued directions under Regulation 8(1)(b), Regulation 8(1)(a) and Regulation 8(1) of the European Communities (Environmental Liability) Regulations 2008 between December 2020 and April 2021, and other correspondence thereafter.

Over the course of the ten months between December 2020 and September 2021, extensive peat stability risk assessment, geotechnical analysis, site meetings and reporting, was undertaken by both FTC and Ionic Consulting on behalf of Planree Ltd. and reviewed by ARUP on behalf of the EPA. By 28th September 2021, the EPA were able to confirm in writing that:

"I am to advise that the revised Peat Stability Assessment prepared by FTC and submitted to the EPA pursuant to 1 and 2 above addresses the conclusions/recommendations set out in previous EPA correspondence. The issues identified in correspondence from the EPA on the 29th July 2021 have been satisfactorily addressed. Compliance with the EPA Direction from 1st April is now confirmed."

A copy of the EPA letter dated 28th September 2021 from which the above text is extracted, is included in Appendix 1 to this report.

In conclusion, the Peat Slide that occurred on 12th November 2020 arose during the construction of permitted works that had been subject to comprehensive Environmental Impact Assessment and Appropriate Assessment. The works were being undertaken in accordance with the permitted plans and the peat slide did not arise as a result of mismanagement or any act or omission/error on the part of the Applicant, but occurred due to the culmination and interaction of a number of factors, including exceptional weather events and site-specific conditions beyond the control of the Applicant.

The incident was promptly and comprehensively addressed through a rigorous and transparent process of investigation, involving extensive site investigations, geotechnical analysis, and expert input from appropriately qualified consultants acting on behalf of both the Applicant and the EPA. The engagement of ARUP Consulting Engineers by the EPA, alongside the detailed assessments

undertaken by Fehily Timoney and Company and Ionic Consulting on behalf of Planree Limited, ensured that the causes and implications of the peat failure were thoroughly examined and robustly addressed.

This process culminated in the EPA's determination, by notice dated 28 April 2021, that the matters identified had been satisfactorily resolved in accordance with the Environmental Liability Regulations.

4.2.2 Peat Slide Restoration

As a result of the November 2020 Peat Slide on-site, DCC initiated an investigation, which resulted in the issuance of notices under Section 12 of the Local Government (Water Pollution) Act 1977 requiring, amongst other things, an Action Plan detailing the engineering measures identified and considered necessary to eliminate or limit the release of further polluting matter from the area where the peat slide occurred and mitigate against the further dispersal of peat and sediment, deposited along the banks of the watercourse through and beyond the Meenbog Wind Farm.

As stated above, the remedial works to address the effects of the peat slide that occurred on November 12, 2020 were undertaken as part of a direction issued by DCC under Section 12 of the Local Government (Water Pollution) Act, 1977.

Schedule 2, Class 41 of the Planning and Development Regulations 2001 (as amended) provides that the following is exempted development – *'the carrying out of development in compliance with a notice under section 12 of the Local Government (Water Pollution) Act, 1977 (No. 1 of 1977)'*. The remedial measures implemented on site were directly aligned with the measures proposed to and approved by DCC under this legislative framework and were necessary to mitigate the risk of further peat instability and downstream pollution.

In parallel, Section 4(4) of the Planning and Development Act 2000 (as amended) provides that no planning exemption shall apply if *'an environmental impact assessment or an appropriate assessment of the development is required.'* In recognition of this provision, DCC sought Appropriate Assessment Screening Reports (AASRs) in respect of the Section 12 emergency works. This ensured that the potential for significant effects on European sites was appropriately assessed prior to the implementation of the remedial measures. Accordingly, the undertaking of AA screening and EIA Screening in advance of the emergency works confirmed that neither an EIA nor an AA was required. As the restoration works were done on an emergency basis to comply with a statutory notice under section 12, they are not included in the scope of the development requiring substitute consent. Those works will however be cumulatively assessed in the rEIAR and rNIS.

Between December 2020 and August 2021, four individual Action Plans were prepared to mitigate the effects of the peat slide incident, which included measures for the restoration of the Shruhanganarve stream. Following receipt of the necessary approvals from DCC with respect to the proposals contained within each of the Action Plans, the proposed measures were implemented on-site as expeditiously as possible or at the appropriate time of year where certain measures were seasonally dependent. All measures proposed in the four separate Action Plans and approved by DCC to mitigate the effects of the peat failure through the installation of enhanced environmental protection measures and habitat restoration measures, were completed successfully.

The significant efforts to restore and reinstate the areas affected by the peat slide were acknowledged in a letter dated 31st May 2022 issued by Joe Ferry, Acting Section Executive Scientist with Donegal County Council, in which he stated:

"I would like to commend your company and the staff involved in the restoration work, which has been very well designed and executed so far, and for their courtesy and co-operation since the incident began. The past month hasn't been very favourable in this part of the country for growth, which has set back final approval, but hopefully we'll see some heat to remedy that shortly."

In a further letter dated 11th July 2022, Mr. Ferry in confirming that DCC could close out the Section 12 notices issued, commented as follows:

"I believe Donegal Co. Council is now in a position to close out all of the Section 12 notices issued, as all of the seeded areas have shown encouraging signs of growth and establishment, (which reduces the likelihood of any significant sediment release), and the monitoring data obtained for the Shruhanganarve and Mournebeg has been satisfactory.

We would like to commend your company and the staff involved in the restoration work, which has been very well designed and executed, and for their courtesy and co-operation since the incident began. We would also encourage you to maintain your commitment and place a strong emphasis and vigilance on the current surface water quality monitoring programmes, as the project moves into the next phases."

Copies of DCC correspondence dated 31st May 2022 and 11th July 2022 are included as **Appendix 2**.

4.2.3

Planning Applications within the Red Line Boundary

This section of the Planning Report sets out the relevant planning applications within the red line boundary. There have been a range of planning applications lodged for developments within the overall footprint of the Site. Table 4-1 below lists all the valid applications within, or partly within the application Site boundary.

Table 4-4-1 Planning Applications within the Red Line Boundary

Planning Authority	Pl. Ref	Description	Decision
Donegal County Council	11/20064	Development comprising of a gas insulated switchgear (gis) 110kv electrical switching substation measuring approximately 25m x 20m, a compound area measuring approximately 41m x 40m surrounded by a 2.6m high palisade fence, four end masts, a landscaped earth berm with approximate dimensions of 11m at the base and 7m at the highest point, domestic effluent treatment facility, associated site roads and site works	Granted 23/05/2011 (Partly within the RLB)
Donegal County Council	15/50765	Erection of 2 no. 16m high monopole lightning protection masts and associated site works on the consented clogher substation site (donegal county council planning ref. no. 11/20064). the planning application is accompanied by an appropriate assessment screening report.	Granted 04/09/2015 (Partly within the RLB)
Donegal County Council	16/50348	Retention: an 80 metre high temporary meteorological mast and all associated works for a period of 18 months	Granted 17/06/2016
Donegal County Council	16/50585	an 80 metre high temporary meteorological mast and all associated works for a period of 18 months	Granted 22/07/2016
Donegal County Council	17/50543	A 10 year planning permission for development consisting of (1) a 110kv electricity substation which includes 2 no. control buildings, associated electrical plant and equipment, underground electricity cabling, fencing and	Refused by DCoCo 02/06/2017

		ancillary works in the townland of cark to replace two substations previously permitted as part of the drumnahough wind farm (pl.ref.08/50687 and extended under pl. ref.13/51609) and the lenalea wind farm (pl.ref.09/50116); (2) 33kv underground electricity cabling and ancillary works from the permitted lenalea wind farm to the proposed substation in the townland of cark; (3) 110kv underground electricity cabling and ancillary works from the proposed substation at cark through the townlands of culliagh, meenbog (ed cloghan), lettershanbo, corlacky, kinnaderry, welchtown, aghaveagh, meenagrauv, altnapaste, ballykergan, carrickmahon, magheracloigh, loughsallagh, cashelnavean, croaghonagh, tawnawully mountains, keadew upper, friarbush, ardinawark, keadew lower, to the existing clogher substation in the townland of cullionboy, co. donegal; (4) the demolition of an existing shed and its replacement with a new shed, both in the townland of cullionboy, relocated to facilitate the proposed underground cabling works. the planning application is accompanied by an environmental impact statement (eis) and natura impact statement (nis)	Refused by ACP 19/07/2018 (Partly within the RLB)
Donegal County Council	*24/60495	Construction of 3 no. new culverts to replace existing culverts and all associated site works along the n15. a natura impact statement accompanies this application.	Refused by DCC 13/12/2024 Refused by ACP 12/06/2026
An Coimisiún Pleanála	PA0040	Provision of up to 49 no. Wind Turbines, two permanent Meteorological Masts, two 110kv Electrical Substations and all associated works at Meenbog and other townlands, County Donegal.	Refused 23/03/2016
An Coimisiún Pleanála	300460	10-year permission for a 19 turbine windfarm, 110kV substation & 110kV underground grid connection	Granted 25/06/2018
An Coimisiún Pleanála	248796	10-year permission for development. Underground electricity cabling from Lenalea windfarm to substation in Cark. 110kV cabling from substation in Cark to Clogher Substation, Cullionboy, Cark, Co. Donegal	Refused 25/07/2018 (Partly within the RLB)
An Coimisiún Pleanála	314062	Leave to Apply for Substitute Consent for alterations to the permitted Meenbog Wind Farm	Granted 13/10/2023
An Coimisiún Pleanála	319466	Substitute Consent application for 25 no. deviations from the permitted Meenbog Windfarm development (granted under ABP PA05E.300460).	Withdrawn 21/02/2025

An Coimisiún Pleanála	318669	Request for an Extension of Time for an Application for Substitute Consent for a windfarm.	Granted 12/01/2024
An Coimisiún Pleanála	321436	Request to enter into pre-application consultation pursuant to Section 177E(1A) of the Planning and Development Act, 2000, as amended.	Lodged 10/12/2024
An Coimisiún Pleanála	318022	Substitute Consent Application - Quarry.	Live Case (Partly within the RLB)

*The proposed replacement of 3 no. culverts along the N15 is functionally independent from the Subject Development. The Subject Development does not require the culvert upgrade works to operate. The Grid Connection underground cabling along the N15 is fully constructed and energised.

5. PRE-APPLICATION CONSULTATION

This section of the Planning Report outlines the pre-application consultation undertaken by the Applicant for the Subject Development. This includes Scoping as part of the EIAR & rEIAR and two pre-application meetings with An Coimisiún Pleanála, a meeting with Donegal County Council and a meeting with the Loughs Agency (NI).

5.1.1 EIAR Scoping

A scoping letter, providing details of the Subject Development, was prepared by MKO and circulated in September 2025 with follow up scoping requests sent in March 2026. The Scoping Consultee List for the Permitted Development informed the scoping for the Subject Development. The scoping letter provided details of the Subject Development and set out the scope of work for the EIAR and rEIAR. Consultees were invited to contribute to the EIAR & rEIAR by suggesting baseline data, survey techniques and potential impacts that should be considered as part of the assessment process and in the preparation of the EIAR & rEIAR. All scoping responses from relevant personnel/bodies in their respective capacities as consultees are included as Appendix 2-2 of the EIAR & rEIAR.

5.2 Pre-Planning Meeting – First Meeting

Members of the project team and the Applicant met with representatives from An Coimisiún Pleanála in an in-person meeting held at offices of the Coimisiún, 64 Marlborough Street, Dublin 1 on the 19th of February 2025.

Those who were in attendance at this meeting are listed below -

- Mary MacMahon (ACP)
- Stephanie Farrington (ACP)
- Finbarr Quigley (ACP)
- SORCHA Skelly (ACP)
- Laura Grady Lawlor (ACP)
- Cathy Carleton (ACP)
- Dillon Corcoran (ACP)
- Colm Ryan (MKO)
- Sean Creedon (MKO)
- Thomas Blackwell (MKO)
- William O'Connor (Applicant Planree Ltd.)

Matters discussed included:

- Description of Development and relevant background – clarity regarding scope of application.
- Procedural Advice / Queries arising regarding any subsequent application for substitute consent:
 - ACP representative referenced Section 177E(2)(a)(b) of the Act.
 - Application to be in accordance with Article 22 of the Planning and Development Regulations, 2001 as amended.
 - Requirement to provide a robust rationale for exceptional circumstances.
 - Provide clear rationale for duration and lifetime of permission.
 - Clearly outline the difference between the existing and permitted development.
 - Address compliance with the Water Framework Directive.

- Onus on applicant to provide evidence that the site is suitable for the nature of development proposed in light of previous peat failure on the site.
- Cumulative impact should be comprehensively addressed in any future applications.

Please see Appendix 3 which includes the Pre-Planning Meeting Minutes for further detail.

5.2.1 Pre-Planning Meeting – Second Meeting

Members of the project team and the Applicant met with representatives from An Coimisiún Pleanála in an in-person meeting held at the offices of the Coimisiún, 64 Marlborough Street, Dublin 1 on the 7th January 2026.

Those who were in attendance at this meeting are listed below –

- Mary MacMahon (ACP)
- Stephanie Farrington (ACP)
- Finbarr Quigley (ACP)
- Ronan Megannety (ACP)
- Colm Ryan (MKO)
- Sean Creedon (MKO)
- Thomas Blackwell (MKO)
- William O'Connor (Applicant Planree Ltd.)

Matters discussed included:

- The intent to submit an application for substitute consent under Section 177(E) of the Planning and Development Act, 2000, as amended, to regularise the planning status of Meenbog Windfarm and completion of the development. ACP acknowledged applications under Section 177E of the Act are not subject to the provisions of RED III.
- The withdrawal of the substitute consent application (ABP Ref: 319466-24) for 25 no. deviations following the Section 160 Proceedings taken by Donegal County Council and subsequent High Court and Court of Appeal Decisions which concluded that the entirety of existing development on site is unauthorised.
- Provisions of S177K (J)(a-j) of the Act as it relates to 'Exceptional Circumstances' and the importances of demonstration of compliance with same.
- The peat failure and the need to provide evidence that the site is suitable for the nature of development proposed.
- The differences between the permitted development and the prospective development are to be presented in the planning report which will accompany the application.

5.2.2 Meeting with Donegal County Council

Members of the project team and the Applicant met with representatives from Donegal County Council via a MS Teams meeting on the 10th February 2026.

Those who were in attendance are listed below –

- Frank Sweeney (DCC)
- Eunan Quinn (DCC)
- Brian Keville (MKO)
- Thomas Blackwell (MKO)
- Evelina Sadauskaite (MKO)

- > Sean McCarthy (MKO)
- > Sean Creedon (MKO)
- > William O'Connor (Applicant Planree Ltd)

Matters discussed included:

- > Compliance with DCC policy WEP-1-A.
- > DCC questioned if ACP will enforce transboundary process.
- > Any potential negative impacts through the hydrological links to the River Foyle need to be examined in the planning application.
- > DCC queried how the additional small-scale slippages are being addressed as part of the application and if further movement of those slippages has occurred.

5.2.3 Meeting with Loughs Agency

Members of the project team and the Applicant met with a representative from the Loughs Agency via a MS Teams meeting held on the 16th January 2026.

Those who were in attendance are listed below –

- > Riain McLaughlin (Loughs Agency)
- > Pat Roberts (MKO)
- > Robert Kennedy (MKO)
- > Matthew Kiernan (MKO)
- > William O'Connor (Applicant Planree Ltd)

Matters discussed included:

- > Introduction and overview of the Subject Development including an overview of the history of Meenbog Wind Farm;
- > An overview of the surveys undertaken were provided including an overview of the four main aquatic reports from 2017, 2021, 2024, 2025 and the EPA monitoring;
- > An overview was provided of the restoration to date of the Shruhingarve following the peat slide;
- > It was discussed that the findings were broadly consistent with the Loughs Agency surveys and monitoring, with salmon spawning recorded in good numbers across the catchment in recent years since the peat slide, including electro-fishing evidence from the Bunadaowen. However, 2026 redd counts have not yet been completed due to unsuitable conditions;
- > Gravel cleaning in the Mourne Beg, including additional works after the peat slide, was reported to have improved salmonid spawning distribution. While beneficial, there are indications that spawning distribution has recently contracted again, and further gravel cleaning may be required;
- > It was noted that any impact from the 2020 event would likely become visible around four years later when affected salmon return to spawn, although MKO reported that no decline in salmon numbers was observed in post-incident and 2024–2025 surveys and will verify this further;
- > MKO requested access to Loughs Agency data via formal request, and the Loughs Agency concluded there is no disagreement with the information presented and is open to further consultation if needed.

This planning application has been prepared in accordance with the feedback and recommendations received through consultations with Donegal County Council and An Coimisiún Pleanála, with the proposed development reflecting and addressing the key matters raised during these engagements.

6.

SECTION 177E OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

This application is being made to An Coimisiún Pleanála under Section 177E of the Planning and Development Act 2000 (as amended). Section 177E provides for applications for substitute consent in respect of development for which planning permission has been granted and allows such applications to relate to development already carried out and/or development yet to be carried out.

Section 177E of the Planning and Development Act 2000 (as amended) states –

‘(2A) Where an application for substitute consent is made in respect of development of land for which planning permission has been granted, that application may be made in relation to –

- (a) that part of the development permitted under the permission that has been carried out at the time of the application, or*
- (b) subject to subsection (2B), that part of the development referred to in paragraph (a) and all or part of the development permitted under the permission that has not been carried out at the time of the application.*

(2B) Where subsection (2A)(b) applies the applicant shall, in relation to that part of the development that has not been carried out at the time of the application, furnish one or both of the following to the Board with his or her application:

- (a) where a remedial environmental impact assessment report has been furnished with the application, an environmental impact assessment report;*
- (b) where a remedial Natura impact statement has been furnished with the application, a Natura impact statement.’*

As this application pertains to both the regularisation of the Existing Development and the completion of the Meenbog Wind Farm which has already been consented, the Prospective Development (ACP Ref: 300460), it is appropriately made in accordance with Section 177E (2A) and (2B) of the Planning and Development Act, 2000 (as amended).

We refer the Coimisiún to a letter dated 26th June 2026 prepared by A&L Goodbody Ltd., which provides an overview of the project and the basis for the making of the subject planning application. The analysis undertaken by A&L Goodbody Ltd establishes that Section 177E(2A) of the Planning and Development Act 2000 (as amended) provides the appropriate statutory mechanism for the making of the subject planning application. This letter is enclosed in Appendix 4 of this Report,

A planning application under Section 177E of the Planning and Development Act 2000 (as amended) is set out in the public notices as follows:

‘Planree Ltd, intends to apply for substitute consent for development at this site, in the townlands of Meenbog, Croaghonagh, Cashelnavean, Tawnawully Mountains, Friarsbush, Ardinawark, Keadew Upper, Keadew Lower, Cullionboy and Tievecloghoge, in County Donegal.

This application is made pursuant to Sections 177E(2A) and 177E(2B) of the Planning and Development Act 2000 (as amended) which enables an application to be made for retention and completion of development that requires a Remedial Environmental Impact Assessment and/or a Remedial Natura Impact Statement.

The development consists of the retention of the partial construction of a 19-turbine wind farm previously permitted under ABP 300460-17 (as amended by ABP-303729-19), which shall be referred to as the Existing Development, and the completion of construction, operation and subsequent decommissioning of that 19 turbine wind farm, which shall be referred to as the Prospective Development. The Wind Farm Site measures c. 892 hectares, the Grid Connection Site measures c. 9 hectares, the Biodiversity Management and Enhancement Plan Site measures c. 117 hectares, resulting in the overall Site measuring c. 1,018 hectares.

The Existing Development consists of the retention of the following:

- *Upgrading of access junctions, tracks and roads, and construction of new site access roads;*
- *18 no. wind turbine foundations and hardstand areas at various stages of development;*
- *A 110kV Electrical substation with 2 no. control buildings (with a combined floor area of 398.1 sqm) with welfare facilities, associated electrical plant and apparatus, security fencing and underground wastewater holding tank;*
- *110kV underground grid connection cabling (including joint bays, communication chambers, earth sheath links, and ancillary works along the underground electrical cabling route) connecting the wind farm 110kV substation to the Clogher Substation in the townland of Cullionboy. This cabling route is primarily located within the public road corridor;*
- *Internal wind farm underground cabling at various stages of development;*
- *2no. temporary construction compounds (including 4 no. temporary site offices with a combined floor area of 66 sqm and 1 no. temporary security cabin with a floor area of 30.5 sqm);*
- *3no. borrow pits;*
- *Peat and spoil management;*
- *Forestry felling;*
- *Site drainage and sediment control measures; and*
- *All associated site development works.*

The Prospective Development will consist of the provision of the following:

- *19 no. wind turbines, with an overall tip height of 156.5m, rotor diameter of 133m, and wind turbine hub height of 90m, and 1 no. meteorological mast with a height of 80m, and subsequent decommissioning of the wind turbines and meteorological mast, following a twenty five-year operational period from the date of full commissioning of the wind farm;*
- *The completion of upgraded access junctions, tracks and roads, and construction of new site access roads;*
- *The completion of construction of all 19 no. wind turbine foundations and hardstand areas, and the construction of a meteorological mast foundation;*
- *Completion of internal wind farm underground ducting and cabling;*
- *Continued use of and upgrade of 2 no. temporary construction compounds (including 3 no. temporary site offices with a combined floor area of 121.5 sqm);*
- *Continued use and extraction at the 3 no. borrow pits;*
- *Peat and spoil management, including site landscaping;*
- *Forestry felling;*
- *Site drainage and sediment control measures;*
- *Biodiversity enhancement measures (including peatland habitat restoration and Hen Harrier habitat areas);*

- Recreation and amenity works (including carpark, play, picnic & amenity areas and pedestrian access paths to the wind farm roads);
- Operational stage site signage; and
- All associated site development works.

The applicant is seeking an operational period of twenty-five-years for the wind turbines, meteorological mast and site signage from the date of full commissioning of the wind farm. Permanent planning permission is being sought for all other works.

The application is accompanied by a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Statement (rNIS) in relation to the Existing Development, and an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) in relation to the Prospective Development.'

6.1 Existing Development

Construction work commenced at the Wind Farm Site and Grid Connection Site in November 2019. The majority of the civil engineering works, including wind farm access roads, turbine hardstands, turbine foundations, borrow pits and peat cells, were substantially completed over a 12-month period up to November 2020. Works on the electricity substation and associated underground cabling connection to the grid continued until the second quarter of 2021. Construction work resumed briefly between July 2022 and September 2022, during which some additional works were carried out on site roads, internal site ducting, hardstanding areas, borrow pits, and peat cells.

The Existing Development is also described in detail in Chapter 4 of the remedial Environmental Impact Assessment (rEIAR) and briefly in the sections below.

6.1.1 Wind Farm Site

6.1.1.1 Wind Turbines

6.1.1.1.1 Turbine Locations and Foundations

A total of 14 no. of wind turbine foundations (where concrete has been poured) have been completed or predominantly completed, with 2 no. additional foundations prepared with the steel reinforcement and anchor cage in place, and a further 2 no. foundations excavated.

Wind turbine foundations are installed below the finished ground level. The turbine foundation transmits any load on the wind turbine into the ground. The horizontal and vertical extent of each turbine foundation is 22.5m and ~3m respectively. After the foundation level of a turbine has been formed on competent stratum (i.e. bedrock or subsoil of sufficient load bearing capacity), the "Anchor Cage" is levelled and reinforcing steel is then built up around and through the anchor cage. The outside of the foundation is shuttered with formwork to allow the pouring of concrete and is backfilled accordingly with appropriate granular fill to the top of formwork level, to support the concrete pour.

Table 6-1 Wind Turbine Locations, Top of Foundation Level, and Works Completed

Turbine	ITM Coordinates		Top of Foundation Elevation (mOD)	Works Completed
	X	Y		
T1	607083	884169	287	Concrete pour completed.

Turbine	ITM Coordinates		Top of Foundation Elevation (mOD)	Works Completed
	X	Y		
T2	607639	884209	269*	Steel reinforcement in place. Concrete pour to be completed.
T3	606809	884614	316	Concrete pour completed.
T4	608056	884820	306	Concrete pour completed.
T5	607191	885029	305	Concrete pour completed.
T6	607587	885277	293	Concrete pour completed.
T7	608211	885488	258*	Not yet constructed.
T8	607105	885583	252	Concrete pour completed.
T9	608682	885893	234	Concrete pour completed.
T10	606753	885946	214	Concrete pour completed.
T11	608133	885993	256	Concrete pour completed.
T12	607533	886077	225	Concrete pour completed.
T13	608329	886520	222	Concrete pour completed.
T14	606933	886553	185	Concrete pour completed.
T15	607750	886642	185	Concrete pour completed.
T16	608896	886662	214*	Foundation area excavated. Installation of steel reinforcement and concrete pour to be completed.
T17	608581	887045	183	Concrete pour completed.
T18	607398	887064	169*	Foundation area excavated. Installation of steel reinforcement and concrete pour to be completed.
T19	609123	887206	196*	Steel reinforcement in place. Concrete pour to be completed.

*Intended top of foundation elevation for incomplete turbine foundations

6.1.1.1.2 Hardstanding Areas

The Existing Development includes 18 no. substantially completed or partially completed hardstanding areas. The hardstanding areas consisting of levelled and compacted hardcore are typically used to facilitate access, turbine assembly and turbine erection. The hardstand areas are used to accommodate cranes used in the assembly and erection of the turbine, offloading and storage of turbine components, and generally provide a safe, level working area around each turbine position. All

hardstand areas have been designed taking account of the loadings provided by the turbine manufacturer and consist of a compacted stone platform.

Where turbine foundations are completed, as described in Section **Error! Reference source not found..1** above, the hard-standing areas are extended over the turbine foundations. The works completed at each hardstand area is outlined in Table 6-2. stockpile of rock material has been stored at several hardstands including T2, T3, T5, T9, T10, T13, T14, T15, and T16. The existing hardstanding areas are illustrated in the planning drawings that accompany this application and are included as drawings MNBG-d009.2.1 to MNBG-d009.2.19 in Appendix 4-1 of the rEIAR. Additional works are required to complete all hardstands and these works are described in Chapter 4 of the EIAR for the Prospective Development.

Table 6-2 Location and Extent of Substantially Completed and Partially Completed Hardstands

Corresponding Turbine No.	Works Completed		
	Blade Set-down Areas	Rough Grading	Capping
T1	Not Completed	Completed	Not Completed
T2	Not Completed	Not Completed	Not Completed
T3	Not Completed	Not Completed	Not Completed
T4	Not Completed	Not Completed	Not Completed
T5	Not Completed	Not Completed	Not Completed
T6	Not Completed	Not Completed	Not Completed
T7	Not Completed	Not Completed	Not Completed
T8	Not Completed	Not Completed	Not Completed
T9	Not Completed	Not Completed	Not Completed
T10	Completed	Completed	Not Completed
T11	Completed	Completed	Completed
T12	Completed	Completed	Completed
T13	Completed	Not Completed	Not Completed
T14	Completed	Completed	Not Completed
T15	Not Completed	Not Completed	Not Completed
T16	Not Completed	Not Completed	Not Completed
T17	Not Completed	Not Completed	Not Completed
T18	Not Completed	Not Completed	Not Completed

Corresponding Turbine No.	Works Completed		
	Blade Set-down Areas	Rough Grading	Capping
T19	Not Completed	Not Completed	Not Completed

6.1.2 Site Roads

6.1.2.1.1 Road Construction

Approximately 19 km of existing access roads are present across the Wind Farm Site and have been in operation for a number of years. To provide access within the Wind Farm Site of the Existing Development, existing forestry roads and tracks were upgraded, and additional new access roads were constructed.

Approximately 4.1 km of existing solid road was upgraded and approximately 8.9 km of existing floating forestry tracks were upgraded to solid roads.

A total of 3 km of new solid roads were installed at the Wind Farm Site, along with approximately 3 km of new floating roads.

Where existing roads were upgraded, the work included widening of the roadway to a minimum running width of 5m. The design of the access roads had regard to key factors as identified in the *Peat and Spoil Management Plan* which was prepared by Applied Ground Engineering Consultants Ltd. (AGEC) as part of the 2017 EIAR for the Permitted Development and included in Appendix 4-2 of the rEIAR. Design factors were as follows:

1. *Buildability considerations*
2. *Serviceability requirements for construction and wind turbine delivery and maintenance vehicles*
3. *Minimise excavation arisings*
4. *Requirement to minimise disruption to peat hydrology*

Constructed roads are of two types, namely solid road or floating road which are described below.

Solid Roads are either upgraded existing roads or newly constructed roads. These roads were generally constructed where peat depth was found to be less than 1.5m in depth. Where solid roads were constructed through areas of deeper peat (depths greater than 3m), the displacement method was employed to construct the solid road. Approximately 16 km of solid site roads were constructed or upgraded from existing solid or floating forestry tracks as part of the Existing Development. The width of the constructed road varies between 5 m to 10 m. In some sections of the site roads, solid berms at least 600 mm high with intermittent drainage gaps run each side of the running surface.

Floating Roads are newly constructed roads where peat depth was found to be greater than 1.5m in depth. Approximately 3 km of floating roads were constructed at the Wind Farm Site.

6.1.2.1.2 Clear Span Bridge

A clear-span bridge was constructed over the Bunadaowen River within the Wind Farm Site. The bridge crossing forms part of the internal site road network and is located on the main spine road that runs from the site entrance to the northeastern side of the Wind Farm Site. The crossing location is at ITM X 607622, Y 887145, and the design avoided the need for in-stream works. The bridge was constructed to widen a pre-existing box culvert crossing of the Bunadaowen River.

The clear-span bridge was constructed to the specifications of the Office of Public Works (OPW) bridge design guidelines 'Construction, Replacement or Alteration of Bridges and Culverts - A Guide to Applying for Consent under Section 50 of the Arterial Drainage Act, 1945', and in consultation with Inland Fisheries Ireland (IFI). Abutments were constructed from precast units combined with in-situ foundations, placed within an acceptable backfill material. An as-built drawing of the clear-span bridge is shown in **Error! Reference source not found.** of the rEIAR and include as drawing MNBG d008.1.3 in Appendix 4-1 or the rEIAR.

6.1.3 Borrow Pits

As part of the Existing Development, 3 no. borrow pits were established within the Wind Farm Site. The purpose of a borrow pit is to win hardcore material required for the construction of the wind farm infrastructure, namely access roads, turbine foundations and hardstands. The use of borrow pits located within the Wind Farm Site minimised the need for transport of material from external quarries.

During the construction of the Existing Development, a number of rock extraction methods were employed, depending on the ground conditions encountered across the Wind Farm Site. These methods included rock breaking using hydraulic excavators fitted with breaker attachments, and controlled rock blasting where rock could not be removed through excavation and rock breaking methods alone. Extracted rock material was processed and reused where suitable for construction purposes. Each of the borrow pits is described below.

6.1.3.1 Borrow Pit 1: East of Turbine 10

Borrow Pit 1 is located approximately 395m east of T10. Borrow Pit 1 has an existing footprint of approximately 25,600 m² including both the excavated area and the working strip. The ITM Coordinates of this borrow pit are X 607214, Y 885893. An existing forestry borrow pit at this location was expanded to win stone on-site ahead of gaining access to the wind farm borrow pits. Stone extraction continued at this borrow pit in lieu of developing a previously proposed borrow pit (BP1 from the 2017 EIAR).

The borrow pit has been partially restored by backfilling with peat and spoil from elsewhere on the Wind Farm Site. Restoration was accomplished by creating a cell to contain excavated peat with a berm constructed along the downslope (north-west) edge of the borrow pit. The borrow pit is bounded to the west and north by wind farm access roads which are constructed to solid formation. A plan and cross section of the borrow pit is provided as **Error! Reference source not found.** of the rEIAR. It is estimated that approximately 172,000 m³ of rock was extracted from Borrow Pit 1.

Borrow Pit 1 has been partially reinstated through the backfilling of peat. Since the cessation of peat backfilling in the borrow pit, the surface of the backfilled peat has begun to revegetate with species including soft rush (*Juncus effusus*), Yorkshire fog (*Holcus lanatus*), creeping bent grass (*Agrostis stolonifera*) and tormentil (*Potentilla erecta*).

6.1.3.2 Borrow Pit 2: South of Turbine 15

Borrow Pit 2 is located approximately 170m south of T15. Borrow Pit 2 has an existing footprint of approximately 14,000 m² including both the excavated area and the working strip. The ITM Coordinates of this borrow pit are ITM X 607757, Y 886389. It is located adjacent to the wind farm access road. The borrow pit was excavated into the existing ground, commencing at the southern end of the borrow pit. The excavated area was subsequently partially backfilled with peat, with berms constructed on the downslope side of the borrow pit to retain the peat. This area is bounded to the northwest by the wind farm road which is constructed to solid formation. A plan and cross section of the borrow pit is provided as **Error! Reference source not found.** of the rEIAR. It is estimated that approximately 66,000 m³ of rock was extracted from Borrow Pit 2.

Borrow Pit 2 has been partially reinstated through the backfilling of peat. Since the cessation of peat backfilling in the borrow pit, the surface of the peat has begun to revegetate with species including soft rush (*Juncus effusus*), Yorkshire fog (*Holcus lanatus*), creeping bent grass (*Agrostis stolonifera*) and tormentil (*Potentilla erecta*).

6.1.3.3 Borrow Pit 3: East of Turbine 13

Borrow Pit 3 is located approximately 175m east of T13. Borrow Pit 3 has an existing footprint of approximately 11,600 m² including both the excavated area and the working strip. The ITM Coordinates of this borrow pit are ITM X 607757, Y 886389. Excavation into existing ground commenced on the eastern side of the borrow pit area. Individual cells were created within the borrow pit area and the borrow pit area has been partially restored. A plan and cross section of the borrow pit is provided as **Error! Reference source not found.** of the rEIAR. It is estimated that approximately 55,000 m³ of rock was extracted from Borrow Pit 3.

Borrow Pit 3 has been partially reinstated through the backfilling of peat in the worked-out portions of the borrow pit. Since the cessation of peat backfilling at this partially constructed borrow pit, the surface of the deposited peat has revegetated with species including soft rush (*Juncus effusus*) and bulbous rush (*Juncus bulbosus*), which are dominant throughout.

6.1.3.4 Underground Electrical and Communications Cabling

Approximately 6 km of the underground cabling ducting has been installed within the Wind Farm Site as indicated in **Error! Reference source not found.** of the rEIAR. The route of the cable ducts generally follows the access tracks to each turbine location and are shown on the detailed drawings included as Appendix 4-1 of the rEIAR. Cable ducts are approximately 1.2m below the ground level and located within or beside founded roadways. In floating roads, the cable ducting is installed on the shoulder of the road with a berm providing the necessary cover over the cable ducting. The general arrangements of the underground cabling routes relative to internal tracks are illustrated in drawings MNBG d043.1.1 and MNBG d043.1.2 in Appendix 4-1 of the rEIAR. The areas where each cable arrangement has been used are illustrated in drawing MNBG d024.6.5 to MNBG d024.6.10 in Appendix 4-1 of the rEIAR. A small amount of cabling has been installed in the cable ducting within the Wind Farm Site.

6.1.3.1 110kV Electrical Substation

An on-site 110kV electrical substation was constructed within the Wind Farm Site as shown in Plate 4-3 of the rEIAR. The on-site electrical substation compound measures approximately 116m in overall length and 95m in overall width, and includes 2 no. control buildings along with the electrical components necessary to consolidate the electrical energy generated by each wind turbine and export that electricity from the on-site 110kV electrical substation to the national grid via underground electrical cabling.

The electrical equipment in the on-site 110kV electrical substation was installed in line with Eirgrid/ESB Networks specifications. The on-site 110kV electrical substation compound is surrounded by steel palisade fencing approximately 2.6m high, as well as internal fences which segregate elements within the main substation.

Wind Farm Control Buildings

Two wind farm control buildings are located within the substation compound. The Independent Power Producer (IPP) Control Building measures 19m x 11m and 7m in height, located at the south eastern side of the substation compound. The EirGrid Control Building measures 25m x 18m by 8.5m in height, located towards the centre of the substation compound.

The substation control buildings include staff welfare facilities. Toilet facilities have been installed with a low-flush cistern and low-flow wash basin. The control buildings include a rainwater harvesting system which can harvest rainwater from the roofs of the buildings to be used to flush toilets.

Wastewater from the staff welfare facilities in the control buildings is managed through a sealed underground storage tank, with all wastewater being tankered off-site by a permitted waste collector to wastewater treatment plants. Wastewater treatment on-site has not been implemented, and therefore the Environmental Protection Agency (2009) *Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)* does not apply. Similarly, the EPA (1999) *Treatment Systems for Small Communities, Business, Leisure Centres and Hotels* does not apply, as it pertains to scenarios where on-site wastewater treatment is proposed.

The wastewater storage tank has been fitted with an automated alarm system that will provide sufficient notice when the tank requires emptying. Only waste collectors holding valid waste collection permits under the Waste Management (Collection Permit) Regulations, 2007 (as amended), are employed to transport wastewater away from the Wind Farm Site as part of the Subject Development.

6.1.3.2 Watercourse/Culvert Crossings

The Wind Farm Site is extensively drained by a network of natural watercourses and manmade land drains. These are illustrated in Appendix 4-5 of the rEIAR.

6.1.3.2.1 Culvert Crossing

Several watercourse crossings were constructed/upgraded as part of the Existing Development including:

- A 5m wide clear-span bridge was constructed over the Bunadowen River.
- A total of 109 no. culverts were installed or upgraded over streams/drains along forestry access tracks within the Wind Farm Site.

All new culverts and culvert upgrades at field drain crossings installed as part of the Existing Development were suitably sized for the expected peak flows in the relevant drain.

Some culverts were installed to manage drainage waters from works areas of the Existing Development, particularly where the waters had to be taken from one side of a roadway to the other for discharge. The size of culverts was influenced by the depth of the track or road sub-base.

6.1.4 Temporary Construction Compounds

A total of 2 no. temporary construction compounds were constructed as part of the Existing Development and are illustrated in Appendix 4-1 of the rEIAR.

Construction compound No. 1 is located between the on-site 110kV electrical substation and the wind farm access road. This temporary construction compound consisted of temporary site offices, staff facilities and car-parking areas for staff and visitors, however only one security cabin currently exists at this compound. Details of temporary construction compound No. 1 are provided in drawing MNBG-d046.1.1 in Appendix 4-1 of the rEIAR.

Construction Compound No. 2 is located in a layby adjacent to the wind farm main spine road approximately 150m southwest of the road to T10. This temporary construction compound included offices and welfare facilities set up centrally on-site where a natural widening existed along main spine road.

6.1.4.1.1 Temporary Security Cabin and Site Offices

A temporary security cabin is located beside the on-site 110kV electrical substation, within temporary construction compound No. 1. There are also 4 no. temporary site offices located within temporary construction compound No. 2.

6.1.5 Tree Felling/Replanting

The majority of the Wind Farm Site comprises a commercial coniferous forestry plantation. As part of the works for the Existing Development, tree felling was required within and around the development footprint to allow the construction of turbine bases, access roads, and other ancillary infrastructure. Additional felling was required to provide access for the remediation works undertaken in response to the November 2020 Peat Slide.

A total of 73.33 ha of forestry has been felled as part of the Existing Development at the Wind Farm Site. Of this, 66.57 ha comprises permanent felling, while 6.76 ha relates to temporary felling. The temporarily felled areas will require reinstatement planting as part of the Prospective Development, as outlined in Chapter 4: Description of the Prospective Development, of the EIAR.

A total of 7.66 ha was replanted within the Wind Farm Site. The locations of these areas are shown in **Error! Reference source not found.** of the rEIAR. In addition, a total of 58.91 ha of permanent felling was replanted off-site under licence to replace the forestry felled as part of the Existing Development, in accordance with requirements set by the Forest Service. These off-site replanted areas are located in various locations in the Republic of Ireland, outside of Co. Donegal. As a result, there is no potential for interactions between the replanted forestry and the Existing Development. For this reason, the replanted forestry is not included in the list of projects considered in the cumulative assessment for this rEIAR.

Further details on the location and associated technical approvals for the replanted forestry are provided in Appendix 4-3 to the rEIAR.

6.1.5.1 Peat, Spoil and Stone Management

6.1.5.1.1 Quantities of Peat and Spoil

Approximately 450,900 m³ of peat and spoil was excavated during the construction of the Existing Development. This total includes material excavated from site roads, turbine foundation, hardstands, the 110kV electrical substation site, and a small amount of peat recovered as part of the emergency works undertaken in response to the November 2020 Peat Slide. Peat and spoil generated from the Existing Development was deposited in a number of peat cells, used to restore borrow pits, and side-cast in appropriate locations around the Wind Farm Site.

The quantity of peat and spoil generated/managed during the construction of the Existing Development has been calculated, as presented in **Error! Reference source not found.** of the rEIAR.

Peat was stored at various locations within the Wind Farm Site, as shown in **Error! Reference source not found.** of the rEIAR, and described in Section **Error! Reference source not found.**, Section 6.1.5.1.2 and 6.1.5.1.3 of Chapter 4 of the rEIAR.

6.1.5.1.2 Peat Cells

A number of peat cells were created as part of the Existing Development. Peat cells were required for the management of peat arising from excavation during construction of the Existing Development. The peat cells were designed to safely contain peat extracted from turbine foundations, road construction and other civil engineering works. Containment of peat in constructed cells minimises environmental impact and facilitates restoration or re-use of the peat post construction. Detailed planning drawings of the peat cells are provided in Appendix 4-1 to the rEIAR. Since the cessation of peat placement in the peat cells, the surface of the deposited peat has revegetated with species

including soft rush (*Juncus effusus*), Yorkshire fog (*Holcus lanatus*), creeping bent grass (*Agrostis stolonifera*) and tormentil (*Potentilla erecta*).

Peat Cell southeast of Substation

Peat cell no. 1 created at the southeast of the onsite 110kV electrical substation (ITM Coordinates X 605382, Y 886324). The peat cell is located adjacent to the wind farm main spine road which is constructed to solid formation. The cell area is generally excavated below existing ground level and designed with stone/rock berms containing the emplaced peat. The retaining wall is made up of piled-up rocks and finer material. The berms and adjacent road are constructed to solid formation.

Peat Cell near T18

Peat cell no. 2 was partially constructed northwest of T18 (ITM Coordinates X 607355, Y 887119). It was offset from the wind farm road to allow space for wind turbine blade deliveries. The cell was formed by excavating a cavity into an area of sloping ground to the north of the road. No peat has been deposited in this area to date.

Peat Cells at T15

Peat cell No. 3 is located to the north and south of T15 (ITM Coordinates X 607703, Y 886681). The cells were formed by constructing berms to contain areas of sloping ground to the west of the wind farm spine road. The berms, road and hardstand in this area are constructed to solid formation. In total, these peat cells are approximately 2 ha in size and are within an 84m radius of the proposed turbine.

Peat Cell at T17

Peat cell No. 4 is located to the west of T17 and adjacent to the wind farm road (ITM Coordinates X 608531, Y 887079). The cell was formed by constructing a berm to contain an area of sloping ground to the west of the road. The cell is bounded to the north, west and south by the berm and the wind farm road to the east. The berm and road were constructed to solid formation.

6.1.5.1.3 **Side casting of Peat and Spoil**

Some peat and spoil excavated on-site was side cast adjacent to the wind farm infrastructure at various locations across the Wind Farm Site in accordance with the Peat and Spoil Management Plan for the Permitted Development (Appendix 4-2 of the rEIAR). Areas of side cast peat and spoil are shown in the drawings provided in Appendix 4-1 of the rEIAR. Side cast peat is generally less than 1m in depth. The stability of areas of side cast peat is assessed in the Retrospective Peat Stability Assessment Report for the Existing Development which is provided as Appendix 8-1 to the rEIAR. Where appropriate, silt fence was installed downslope of side casting area to ensure the protection of adjacent water courses.

6.1.5.1.4 **Crushed Stone**

The quantity of crushed stone that was required for the construction of the Existing Development has been calculated as part of the rPSMP in Appendix 4-8 of the rEIAR, and is presented in Table 4-6 of the rEIAR.

6.2 Grid Connection Site

6.2.1 Grid Connection

The existing on-site 110kV electrical substation is connected to the national grid via underground cabling connection to the existing Clogher 110kV electrical substation, located in the townland of Cullionboy, Co. Donegal. The Grid Connection extends from the on-site 110kV electrical substation at Croaghonagh and runs northwest along private road for approximately 1.7 km to the Wind Farm Site entrance. It then runs southwest along the N15 for approximately 5.7 km, southwest along the L-2595 running for approximately 1.1 km before continuing southeast through agricultural fields alongside the L-1985 for approximately 425m. The grid connection cabling then continues southeast along the L-19852 for approximately 210m until running west along a private road for 495m in the townland of Cullionboy to the Clogher 110kV electrical substation. A small agricultural building to the north of the L-1985 was relocated as part of the grid connection works.

6.2.2 Emergency Works in Response to Peat Movements

The elements of the Existing Development which are described in this section are works which were carried out in response to peat movements that occurred during the construction of the Existing Development. The 2019 Construction and Environmental Management Plan (CEMP) for the Permitted Development outlined emergency response procedures to be followed in the event a peat slide occurring (Appendix 4-4 of the rEIAR). These works were carried out following the emergency response procedures set out in that CEMP.

The November 2020 Peat Slide occurred during the construction of an access road to T7 in accordance with the plans and particulars which were fully permitted and were being undertaken in line with the project design that had been subject to both Environmental Impact Assessment and Appropriate Assessment. At the time of the failure, construction work was being carried out on the floating road to T7. Construction works for the floating road had progressed to essentially the downslope margin of the upper scar prior to the peat failure. The access track and T7 hard stand and base to the south of the peat failure had yet to be constructed though preparatory works had started, such as laying of timbers and brash along the line of the access track to T7. A detailed description of the November 2020 Peat Slide is provided in Appendix 2-3 and Appendix 8-1 of the rEIAR.

6.2.2.1 Peat Containment Berm at T8

A berm was constructed to the south of T8 as a peat containment safety measure prior to the construction of T8 (ITM Coordinates X 6072522, Y 885562). The berm was extended from stable ground on the east side and continued to just beyond the turbine foundation at the west side. This berm is located on the uphill side of T8 spur road, hardstand and foundation. The containment berm was constructed in July 2020 in response to a peat movement that occurred upslope from T8, preventing further movement. The berm is approximately 250m long and 21m wide at the base.

6.2.2.2 Barrage Walls Associated with November 2020 Peatslide

Works in response to the November 2020 Peat Slide were undertaken under the supervision of on-site engineers Ionic Consulting (Ionic). The immediate response to the peat slide (emergency works) included the construction of 3 no barrage walls, as well as water and sediment management elements which are described below.

6.2.2.2.1 Barrage Wall No. 1

Barrage Wall No. 1 which is located northeast of T9 was constructed in the immediate aftermath of the peat slide, within 72 hours of the event. The primary aim of Barrage Wall No. 1 was to limit or prevent the flow of liquefied peat into watercourses beyond the Site.

A drone survey carried out on-site identified the slide path of the peat which had started west of the access road under construction to T7. Water laden peat had slipped in a north eastwardly direction and deposited largely in the shallow Shruhangerve Stream channel which in a north easterly direction. At the most northern extent of the deposit, the existing road which was constructed to provide access to T9 was acting as a dam, with water laden peat being held back to the west upstream of the access road. The CEMP in operation identified the use of check barrages as an emergency measure in the event of risk of pollution to watercourses. As the roadway was already acting as a dam, in order to provide additional capacity for the road to function as a barrage, and to mitigate against the identified risk of the wall being overtopped, immediate action was undertaken which increased the height of embankment on the western side of the roadway. The height of the existing road embankment was increased by up to 3.8m to 221.0 m OD) from the original design level of 217.2 m OD over a length of approximately 100m.

6.2.2.2.2 **Barrage Wall No. 2**

Barrage Wall No. 2 was located to the immediate west of T9 and was the last of the three barrage walls to be constructed, once the slide area above Barrage Walls 1 and 3 had been stabilised. This wall was constructed to keep peat in this area from moving further downstream and to facilitate the removal of peat from the Shruhangerve Stream. Barrage Wall no. 2 was constructed instream from the existing hardstanding area of T9. Barrage Wall No. 2 was subsequently partially removed in order to allow the restored Shruhangerve Stream to flow unimpeded.

6.2.2.2.3 **Barrage Wall No. 3**

Barrage Wall No. 3 is located along the T7 spur road and immediately downslope of an area of peat which was identified as posing significant risk of further peat movement. The purpose of Barrage Wall No. 3 was to stabilise water laden upslope material and prevent potential flow downslope. Barrage Wall No. 3 was constructed upslope of the existing partially completed roadway to T7.

6.3 **Prospective Development**

The Prospective Development is comprised of all remaining works to be carried out to complete the Subject Development. The Prospective Development is described in detail in Chapter 4 of the Environmental Impact Assessment Report in the sections below.

6.3.1 **Wind Turbines**

6.3.1.1 **Turbine Locations**

The wind turbine layout is dictated by the infrastructure already in place, i.e. the Existing Development which includes 18 no. completed and partially completed wind turbine foundations and hardstand areas and 14 no. partially completed wind turbine foundations. The grid reference coordinates of the proposed turbine locations are listed in Table 4-2 of the EIAR.

6.3.1.2 **Turbine Type**

Wind turbines use the energy from the wind to generate electricity. A wind turbine, as shown in Plate 4-1 of the EIAR consists of four main components:

- Foundation unit

- > Tower
- > Nacelle (turbine housing)
- > Rotor

The turbine model to be installed on the Prospective Development will have the following dimensions:

- > Turbine tip height of 156.5 metres;
- > Blade rotor diameter of 133 metres; and
- > Hub height of 90 metres.

Modern wind turbines from the main turbine manufacturers have evolved to share a common appearance and other major characteristics, with only minor cosmetic differences differentiating one from another. The wind turbines that will be installed at the Wind Farm Site will be conventional three-blade turbines, that will be geared to ensure the rotors of all turbines rotate in the same direction at all times.

The turbines will be multi-ply coated to protect against corrosion. The turbines will be of a light grey matt, non-reflective colour to minimise visual impact as recommended in the Draft Revised Wind Energy Development Guidelines (Draft Guidelines (DoHPLG, 2019)¹) and *'The Influence of Colour on the Aesthetics of Wind Turbine Generators'* (ETSU, 1999).

A drawing of the proposed wind turbine is shown in Figure 4-4 of the EIAR. The individual components of a geared wind turbine nacelle and hub are shown in Figure 4-5 of the EIAR.

6.3.1.3 Turbine Foundations

A total of 14 no. wind turbine foundations have been completed or predominantly completed, where the foundation concrete pour has been completed and only partial backfilling and/or covering works are outstanding. As such, any remaining works required for the 14 no. turbine foundations will be completed as part of the Prospective Development. In the case of 5 no. turbine foundations where more substantial works (as detailed in Table 4-3 of the EIAR) are required, these works are also proposed to be completed or constructed as part of the Prospective Development. The locations of the remaining foundations to be completed, and a brief description of the outstanding works are listed in Table 4-3 of the EIAR.

Each wind turbine will be secured to a reinforced concrete foundation that is installed below the finished ground level. The turbine foundation transmits any load on the wind turbine into the ground. The horizontal and vertical extent of each turbine foundation will be 22.5m and ~3m respectively, which has been assessed in the EIAR. The gravity foundations to be constructed at the Wind Farm Site are shown on Figure 4-6 of the EIAR.

After the foundation level of each turbine has been formed on competent stratum (i.e. bedrock or subsoil of sufficient load bearing capacity), the "Anchor Cage" is levelled and reinforcing steel is then built up around and through the anchor cage. The outside of the foundation is shuttered with formwork to allow the pouring of concrete and is backfilled accordingly with appropriate granular fill to the top of formwork level, to support the concrete pour.

6.3.1.4 Hardstanding Areas

The Prospective Development includes works to all 19 no. turbine hardstanding areas. The works required to complete each hardstand area are outlined in Table 4-4 of the EIAR. Planning drawings of the hardstanding areas are included in Appendix 4-1 of the EIAR.

¹ <https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/draft-revised-wind-energy-development-guidelines-december-2019/>

Of the 19 no. hardstanding areas required, 18 no. are partially constructed, whilst one hardstanding area at T7 requires all works to be completed.

The outstanding works at the turbine hardstanding areas have been broadly divided into two categories; (a) minor works and upgrades, and (b) more substantial works and upgrades. Minor works and upgrades comprise capping and/or grading and/or stockpile usage. More substantial works and upgrades include the construction of crane assist pads, blade fingers, hardstand extensions, as well as all civil works which are required at T7. The more substantial works and upgrades all require some level of groundworks and are therefore considered to be more substantial. A mixture of both categories is required at all 18 no. partially constructed hardstanding areas. The works at T7 all comprise more substantial works and upgrades.

Capping and grading material is a layer of material placed on top of other construction layers of materials, to provide a level running surface for cranes and delivery vehicles. Regarding stockpile usage, a stockpile of rock has been stored at several hardstands for later use. It is proposed that these stockpiles will be used for hardstand and road construction within the Wind Farm Site.

Hardstanding areas consisting of levelled and compacted hardcore are required around each turbine base to facilitate access, turbine assembly and turbine erection. Overall, the hardstanding areas are used to accommodate cranes used in the assembly and erection of the turbine, offloading and storage of turbine components, and provide a safe, level working area around each turbine position. Each hardstanding area includes crane assist pads which are required for smaller cranes to assist the main crane. The hardstanding areas are extended to cover the turbine foundations once the turbine foundation is in place. All crane hardstand areas have been designed taking account of the loadings provided by the turbine manufacturer and consist of a compacted stone structure. The precise sizes, arrangement and positioning of hardstanding areas are informed by the turbine manufacturers. Blade storage fingers will provide temporary set-down or storage areas for turbine blades at each hardstanding area.

The proposed hardstanding areas are illustrated in the planning drawings included in Appendix 4-1 of the EIAR. The extent of the required areas at each turbine location are optimised on-site depending on topography, position of the site access road, the proposed turbine position and the turbine supplier's exact requirements.

6.3.1.5 Generating Capacity

Modern wind turbine generators currently have a typical generating capacity in the 4 to 7 MW range, with the generating capacity continuing to evolve upwards as technology improvements are achieved by the turbine manufacturers. Turbines of the exact same make, model and dimensions can have different generating potential depending on the capacity of the electrical generator installed in the turbine nacelle. The exact generating capacity of the installed turbine will be determined by the selected manufacturer.

For the purposes of this EIAR, a rated output of 4.8 MW has been chosen to calculate the potential generating capacity of the proposed 19-turbine renewable energy development, which would result in an estimated installed capacity of 91.2MW.

Assuming an installed capacity of 91.2MW, the Prospective Development therefore has the potential to produce up to 263,641 MWh (megawatt hours) of electricity per year, based on the following calculation:

$$A \times B \times C = \text{Megawatt Hours of electricity produced per year}$$

where: A = The number of hours in a year: 8,760 hours

B = The capacity factor, which takes into account the intermittent nature of the wind, the availability of wind turbines and array losses etc. A capacity factor of 33%² is applied here.

C = Rated output of the wind turbines: 91.2 MW

The 263,641 MWh of potential electricity produced by the Prospective Development would be sufficient to supply over 62,000 Irish households with electricity per year, based on the average Irish household using 4.2 MWh of electricity³ (this latest figure is available from the March 2017 CER Review of Typical Consumption Figures Decision Paper).

The 2022 Census of Ireland recorded a total of 68,021 occupied households in Co. Donegal. Per annum, based on a capacity factor of 33%, the Prospective Development would therefore produce sufficient electricity for the equivalent of over 90% of all households in Co. Donegal (including Donegal Town).

6.3.2 Meteorological Mast

One metrological (met) mast is proposed as part of the Prospective Development. The met mast will be equipped with wind monitoring equipment at various heights. The proposed met mast will be located at E 606894, N 885701 (ITM) as shown on the Wind Farm Site layout drawing in Figure 4-1 of the EIAR. The mast will be a free-standing slender lattice structure 80 metres in height. The mast will be constructed on a hardstanding area sufficient to accommodate the equipment that will be used to erect the mast. The proposed meteorological mast is shown in Figure 4-7 of the EIAR.

6.3.3 Site Roads

6.3.3.1 Road Construction

To provide access within the Wind Farm Site and to connect the proposed turbines and associated infrastructure, existing site roads will need to be upgraded. The road construction preliminary design has taken into account the following key factors, as outlined in the *Peat and Spoil Management Plan* in Appendix 4-2 of the EIAR:

1. Buildability considerations
2. Maximising use of existing infrastructure
3. Minimising excavation arisings
4. Peat stability
5. Serviceability requirements for construction and wind turbine delivery and maintenance vehicles
6. Requirement to minimise disruption to peat hydrology

The above key factors are used to inform the road design which is determined by the prevailing ground conditions encountered along that length of road. Appendix 4-2 of the EIAR includes the most suitable type of road construction envisaged for each section of access road based on the ground/site conditions recorded during the site walkovers and intrusive site investigation works.

² Enduring Connection Policy 2.4 Solar and Wind Constraints Report: Assumptions and Methodology < [ECP-2.4-Solar-and-Wind-Constraints-Report-Assumptions-and-Methodology-v1.1.pdf](#) > The Subject Development is located within the A wind region for Ireland with an associated capacity factor of 33%.

³ March 2017 CER (CRU) Review of Typical Consumption Figures Decision Paper https://www.cru.ie/document_group/review-of-typical-consumption-figures-decision-paper/

The Prospective Development includes for the operational use of the onsite roads (following completion), and regular maintenance of the roads over the operational period of the Subject Development.

The general road construction techniques for road upgrade works at the Wind Farm Site and BMEP Site are listed below, with further details provided in Appendix 4-2 Peat and Spoil Management Plan of the EIAR, and in Section 4.9.2 of the EIAR:

- Upgrade of existing founded access roads (Wind Farm Site)
- Upgrade/replacement of existing floated road to founded road (Wind Farm Site)
- Upgrade of existing floated access road (Wind Farm Site)
- Upgrade of existing floated forestry track (BMEP Site)
- New floating forestry access track (BMEP Site)

Wind farm Site Roads

Approximately 19 km of existing access roads are present across the Wind Farm Site and have been in operation for a number of years, some of which were pre-existing prior to construction of the Existing Development. The existing access roads have been constructed using both founded and floating construction techniques.

The outstanding works relating to site roads have been broadly divided into two categories, (a) minor works and upgrades, and (b) more substantial works and upgrades. Minor works and upgrades comprise grading and/or the laying of surface dressing, a degree of which is required along all existing site roads. The more substantial works and upgrades to access roads, requiring some level of groundwork, comprise the construction of new site roads including excavation and replacement of existing roads, widening or extension of existing roads, and construction of turning heads.

It is proposed to conduct more substantial works and upgrades along approximately 3 kilometres of site roads and tracks within the Wind Farm Site, which includes construction and upgrade works on sections of the access roads to turbines T18, T7 and T4, and widening at certain locations along the existing onsite roads. Table 4-1 of the EIAR includes an overview of the main works required to complete the Wind Farm Site access roads. It is also proposed to construct or complete 10 no. turning heads in the vicinity of a number of turbine locations, which comprise more substantial works and upgrades. The construction of turning heads is proposed in the vicinity of T01, T02, T03, T04, T05, T07, T09 and T18, and completion of partially constructed turning heads in the vicinity of T08 and T19, as shown in the planning drawing in Appendix 4-1 of the EIAR. The turning heads measure between approximately 16m x 6m and 30m x 6m depending on the access roads in the vicinity of each. It is proposed to construct passing bays along the access road to T18 in order to allow construction traffic to safely pass each other while travelling in opposite directions. Areas such as wide junctions and proposed hardstands will also be used as passing bays throughout the construction phase of the Prospective Development.

Proposed upgrade and road widening works within the Wind Farm Site will be founded on competent stratum.

It is proposed that all site roads have a minimum running width of 5 metres, with wider sections of up to 8m on bends and corners. As outlined within the rEIAR, the width of the constructed road (i.e. existing roads) varies between 5m and 10m.

Works to roads within the Wind Farm Site comprise upgrading existing founded access roads, replacing existing floating access roads with founded roads, and finishing of floating access roads which will be 'topped up' or finished with a thin layer of crushed rock, up to 0.15m in thickness. Drainage features along access roads are illustrated in Appendix 4-4 of the EIAR. Due to the ground conditions, and in line with the mitigation measures within 'Peat Stability Assessment of Meenbog Wind Farm Site' (FT, 2021), *'no further construction of floating roads is to be carried out [within the*

Wind Farm Site]. Given the potential risk associated with floating road construction alternative methods of construction shall be adopted.’ No new floating access roads are proposed within the Wind Farm Site, however some of the previously constructed floating roads will be used in the construction of the Prospective Development within both the Wind Farm Site and the BMEP Site. The types of roads to be constructed across the Site are based on available guidance, including ‘Constructed Tracks in the Scottish Uplands’⁴(Scottish Natural Heritage, 2nd Edition, 2015), ‘Floating Roads on Peat’⁵(Scottish Natural Heritage/Forestry Commission Scotland, (2010) and ‘Dealing with Bearing Capacity Problems on Low Volume Roads Constructed on Peat’⁶(ROADDEX II, 2004).

For the locations around the section of floating road at the T01 and T02/T04 junction, a stabilising berm will be constructed downslope of the road to act as a mitigation measure to provide additional resistance to peat movement. As detailed in the Peat Stability Assessment, no peat instability is anticipated in this area as a result of the Prospective Works following these mitigation measures. Please note, Appendix 8-1: Peat Stability Assessment Report has been peer reviewed by Conor O’Donnell (BA, BAI, MS, FGS, CEng, MIEI, FConsEI) of AGL Consulting, which can be found in Appendix 4-7 of the EIAR.

The construction methodologies adopted for the main road construction/upgrade works within the Wind Farm Site have been determined by the ground and site conditions identified during the site walkovers and intrusive site investigation works, and are described in the Peat and Spoil Management Plan in Appendix 4-2 of the EIAR, and summarised in Section 4.9.2 of the EIAR.

BMEP Site Tracks

As outlined in the BMEP (Appendix 6-4 of the EIAR) and Section 4.2.3 of the EIAR, access to Parcel 1 is via a new access track located along the L-65242 Local Road, whilst site access to Parcel 2 is via an existing access track (to be extended and upgraded) located along the L-2974 Local Road. The existing forestry track terminates after 350 m, and from this point it is proposed to construct approximately 550 m of new forest track to complete access to this parcel as part of the BMEP works. The existing forestry track will be upgraded by laying a new surface dressing on the existing section of roadway where necessary. A section of the proposed new road within the BMEP Site is provided in Figure 4-10 of the EIAR, a section of the upgrade to the existing forestry track within the BMEP Site is provided in Figure 4-11 of the EIAR.

The existing forest track will be upgraded by laying a new surface dressing on the existing section of roadway where necessary. The new forest track will be designed as ‘Build On-Top Embankment Roads’ in accordance with the COFORD (2004) ‘Forest Road Manual – Guidelines for the Design, Construction and Management of Forest Roads’. Floating roads minimise the impact on peat, particularly peat hydrology, and significantly reduce the volumes of peat requiring management as there is no excavation required and no peat arisings are generated.

6.3.3.1 Borrow Pits

As outlined in the Peat and Spoil Management Plan in Appendix 4-1 of the EIAR, it is estimated that approximately 74,180m³ of stone material will be required to complete construction of the Prospective Development. There are 3 no. partially excavated borrow pits within the Wind Farm Site which were established as part of the Existing Development. Continued use and/or extension of excavation works are proposed at these borrow pits as part of the Prospective Development. Table 6-3 below outlines the intended extent of use of the borrow pits. It is intended to obtain the majority of

⁴ Constructed Tracks in the Scottish Uplands’ (Scottish Natural Heritage, 2nd Edition, 2015)

<<https://www.nature.scot/doc/archive/constructed-tracks-scottish-uplands>>

⁵ Floating Roads on Peat (Scottish Natural Heritage/Forestry Commission Scotland (2010) <<https://www.roadex.org/wp-content/uploads/2014/01/FCE-SNH-Floating-Roads-on-Peat-report.pdf>>

⁶ Munro, R, 2004. Dealing with bearing capacity problems on low volume roads constructed on peat. Roadex II Northern Periphery <https://www.roadex.org/wp-content/uploads/2014/01/2_5-Roads-on-Peat_I.pdf>

materials for the construction of the Prospective Development from the onsite borrow pits. However, engineer's specified material may be imported onto the Wind Farm Site for should suitable quality material not be encountered during borrow pit excavation for the Prospective Development. It is estimated that up to $\sim 8,000\text{m}^3$ of well-graded stone material (Cl804) for capping/finishing is required to complete the construction of the Prospective Development. Please note, this $\sim 8,000\text{m}^3$ of well-graded material to be imported is in addition to the $\sim 74,180\text{m}^3$ of stone material requirements for the Prospective Development outlined above. Access to each of these the borrow pits is already in place, via existing site roads. The borrow pits are described in more detail below, please note the area measurements provided below include the footprint of each borrow pit proposed as part of the Prospective Development in addition to the existing footprint, and as such will differ to the areas provided in Chapter 4 of the rEIAR.

6.3.3.1.1 **Borrow Pit 1 (BP1): East of Turbine T10**

Borrow Pit 1 is located approximately 395m east of T10. The ITM Coordinates of this borrow pit are X 607214, Y 885893. The total area of BP1 measures approximately $28,180\text{m}^2$, where approximately $8,640\text{m}^2$ of this is proposed to be utilised for extraction as part of the Prospective Development, within the existing pit extraction area/footprint. The remaining area measuring $\sim 11,795\text{m}^2$ has already been backfilled and thus will not be utilised during the Prospective Development works. Furthermore, no extension of the extraction area is proposed as part of the Prospective Development, however additional works to stabilise the slopes surrounding the existing borrow pit comprising tree removal, slope levelling, and fencing are proposed. The works area strip surrounding the borrow pit measures approximately $7,750\text{m}^2$ with the proposed works along the southern/eastern edge of the existing borrow pit measures approximately $2,100\text{m}^2$ and approximately $5,650\text{m}^2$ which has already been built.

6.3.3.1.2 **Borrow Pit 2 (BP2): South of Turbine T15**

Borrow Pit 2 is located approximately 170m south of T15. The ITM Coordinates of this borrow pit are ITM X 607757, Y 886389. The total area of BP2 measures approximately $14,000\text{m}^2$, where approximately $2,180\text{m}^2$ of this is proposed to be utilised for extraction as part of the Prospective Development, within the existing pit extraction area/footprint. The remaining area measuring approximately $8,850\text{m}^2$ has already been backfilled and thus will not be utilised during the Prospective Development works. The borrow pit working strip, which has been constructed as part of the Existing Development, measures approximately $2,980\text{m}^2$.

6.3.3.1.3 **Borrow Pit 3 (BP3): East of Turbine T13**

Borrow Pit 3 is located approximately 175m east of T13. The ITM Coordinates of this borrow pit are ITM X 607757, Y 886389. The total area of Borrow Pit 3 measures approximately $19,000\text{m}^2$, where approximately $6,000\text{m}^2$ of this is proposed to be further utilised for extraction as part of the Prospective Development, within the existing pit extraction area/footprint. The remaining area measuring approximately $4,430\text{m}^2$ has already been backfilled and thus will not be utilised during the Prospective Development works. In addition, it is proposed that this pit is extended to the west and south of its current footprint by an area of approximately $4,000\text{m}^2$, meaning the total extraction area within BP3 for the Prospective Development would be approximately $10,000\text{m}^2$. The works area strip surrounding the borrow pit measures approximately $5,210\text{m}^2$ with the proposed works along the western/southern edge of the borrow pit extension measures approximately $3,445\text{m}^2$ and approximately $1,120\text{m}^2$ of which has already been built to the northern/eastern edge.

Table 6-3 Borrow Pit locations and proposed use

Borrow Pit (BP) No.	Location (ITM)		Proposed Use as part of the Prospective Development
	Easting	Northing	
BP1	607214	885893	8,640m ² for continued use - extraction
BP2	607757	886389	2,180m ² for continued use - extraction
BP3	607757	886389	6,000m ² for continued use and 4,000m ² extension - extraction

To prepare for extraction activities, water which has ponded at the borrow pit locations will be cleared through the use of pumping. The extraction of material from the borrow pits for the Prospective Development is a construction phase activity only and will be temporary and occur over a short period of time. Hardcore materials will be extracted from the borrow pit, by means of rock breaking or blasting. Depending on the hardcore volume, blasting may be used as a more effective rock extraction method, capable of producing significant volumes of rock in a matter of milliseconds. Both rock extraction methods are discussed below. The processing and crushing of boulders may be required to achieve the grading requirements for use in construction. The potential noise and vibration impact on sensitive receptors associated with the rock extraction measures, detailed below, are assessed in Chapter 12: Noise and Vibration, of the EIAR.

Upon removal of the rock from the borrow pits, it is proposed to reinstate the borrow pits using excavated peat and spoil. Once reinstatement is complete, the perimeter of the borrow pits will be permanently secured with a stock-proof fence erected around the borrow pit area to prevent access to these areas in the interest of health and safety. Appropriate health and safety signage will also be erected on this fencing and at locations around the fenced area.

At BP3, where an extension is proposed, the topsoil and subsoil stripping will be conducted in advance of excavation works within the extension area using standard tracked excavators. Any further material gathered during topsoil and subsoil stripping works will be stored within the existing borrow pit void. Two extraction methods have been assessed for breaking out the useful rock: rock breaking and blasting.

6.3.3.2 Rock Extraction

As outlined above, the estimated volume requirements to be extracted from the borrow pits for the construction of the Prospective Development is ~74,180m³. The Prospective Development includes for the provision of ~82,000m³ of rock material available on-site. This comprises existing material ready for rock breaking, existing stockpiled quarry rock, and rock to be extracted from the existing onsite borrow pits, i.e. BP1, BP2 and BP3.

The on-site borrow pits will continue to be excavated and backfilled, whilst BP3 is proposed to be extended west and south of its current footprint by an area of ~4,000m². Two proposed borrow pit extraction methods (rock breaking and blasting) are detailed below.

6.3.3.3 Rock Breaking

Weathered or brittle rock can be extracted by means of a hydraulic excavator and a ripper attachment. This is a common extraction methodology where fragmented rock is encountered as it can be carefully excavated in layers. In areas where stronger rock is encountered and cannot be removed by means of excavating then a rock breaking methodology may be used. Rock breaking

equipment comprises a large hydraulic 360-degree excavator with a rock breaker attachment. Given the power required to break out tight and compact stone at depth, the machines are generally large and in the 40-60 tonne size range. Even where rock might appear weathered or brittle at the surface, the extent of weathering can quickly diminish with depth resulting in strong rock requiring significant force to extract it at depths of only a few metres.

A large rock breaking excavator progressively breaks out the solid rock from the ground in the borrow pit area. A smaller rock breaker, in the 30-40 tonne size range, then breaks the rocks down to a size that can then be fed into a crusher.

The extracted, broken rock is loaded into a mobile crusher using a wheeled loading shovel and crushed down to the necessary size of graded stone required for the on-site civil works. The same wheeled loader takes the stone from the crusher conveyor stockpile and stockpiles it elsewhere within the borrow pit, away from the immediate area of the crusher, until it is required elsewhere within the Wind Farm Site.

6.3.3.4 Rock Blasting

Where blasting is used as an extraction method, a mobile drilling rig is used to drill vertical boreholes into the area of rock that is to be blasted. A drilling rig will drill the necessary number of boreholes required for a single blast in approximately 3 to 4 days. The locations, depth and number of boreholes are determined by the blast engineer. This is a specialist role fulfilled by the blasting contractor.

The blast engineer will arrange for the necessary quantity of explosive to be brought to site to undertake a single blast. The management of explosives on-site and the actual blasting operation will be agreed in advance with and supervised by An Gardaí Síochána. The blast engineer sets the explosives in place in the boreholes, sets the charges, and fires the blast.

A properly designed blast should generate rock of a size that can be loaded directly into a mobile crusher, using the same wheeled loader outlined above. The same method is used for processing the rock generated from a blast, as would be used to process rock generated by rock breaking. Generally, the drilling rig will recommence drilling blast holes for the next blast as soon one blast finished. The potential impacts and control measures associated with noise and vibration from this extraction method are assessed in Chapter 12: Noise and Vibration of the EIAR. Any blasting will be carried out in accordance with the *Guidance on the Safe Use of Explosives in Quarries* (Safety and Health Commission for the Mining and Other Extractive Industries, 2002)⁷ and the British Standard BS 5228-1:2009+A1:2014 *Code of practice for noise and vibration control on construction and open sites – Noise*⁸. Blasting will only be carried out after notifying any potentially sensitive receptors.

6.3.3.5 Rock Processing

Rock extraction activities will generate various sized rocks, which may include large boulders. As such, large boulders will likely require breaking to enable them to undergo further processing and grading. Rock breaking typically occurs utilising an excavator with a hydraulic breaker. Rock breaking occurs in close proximity to the Pit face to maximise the attenuation offered by the Pit face to transmission of the sound. The rock is collected by either a front-end loader or dumper and transported to the semi-mobile crushing/screening unit or loaded directly to the semi mobile crushing/screening unit which follows the operational face within the void. This will break the rock into pre-selected sizes / grades, generating aggregate stockpiles of the graded rock within the borrow pits. This rock will then be transported to locations within the Wind Farm Site where it is required for construction.

⁷https://www.hsa.ie/eng/Publications_and_Forms/Publications/Mines_and_Quarries/Guidance%20on%20the%20Safe%20Use%20of%20Explosives%20in%20Quarries.pdf

⁸<https://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocID=305965>

6.3.3.6 Borrow Pit Decommissioning

Once extraction is complete, the borrow pits will be backfilled with excavated peat and spoil and reseeded or left to vegetate naturally, as outlined in Section 6.3.3.110.2 of the EIAR.

6.3.3.7 Underground Electrical (33kV) and Communications Cabling

Underground 33 kV (kilovolt) electrical cabling and fibre-optic cabling, which will be laid within the cable ducting, will connect each wind turbine and the met mast to the onsite 110kV substation.

A substantial proportion of the underground cable ducting has been installed within the Wind Farm Site to date; however not all cabling has been installed within the existing ducts. As part of the Prospective Development, the existing installed cabling will be inspected, and following electrical testing, some sections may require replacement/upgrading. In parallel, several sections of new ducting are required. Please refer to Table 6-4 below for details of where ducting and/or cabling is to be installed and/or replaced following inspection as part of the Prospective Development. New ducting works also need to be completed in a number of locations, as described in Table 6-4 below.

Table 6-4 Sections of cabling to be completed

Location	Description
Between T1 and T2 (beneath the proposed berm)	Ducting and cabling to be installed
T2 access track	Ducting and cabling to be installed
T3 access track	Ducting and cabling to be installed
Between T3 and T5 along the access track	Ducting and cabling to be installed
T4 access track	Ducting to be replaced
Between T1 and T5, along the access track	Ducting and cabling to be installed
T7 access track	Ducting and cabling to be installed
T9 access track	Ducting to be replaced
T10 access track	Ducting and cabling to be installed
Between T13 and T16	Ducting and cabling to be installed
T18 access track	Ducting and cabling to be installed
T19 access track	Ducting and cabling to be installed

Once the cable ducting has been installed within the trench, clay plugs (water flow barrier) will be installed at regular intervals of not greater than 50 metres along the length of the trenches where required to prevent the trenches becoming conduits for runoff water. Backfill material will be compacted in layers with approved engineer's specified material.

The electricity and fibre-optic cabling connecting to the onsite substation compound will be installed in cable ducts approximately 1.2 metres beneath ground level, along the sides of roadways and/or under the roadways. The opening of new pull pits or utilisation of existing pull pits will be required for the installation of cabling within the ducts. Cabling along existing floating roads will be installed at

ground level and covered with a berm of aggregate to achieve the necessary cover on the ducting. The route of the cable ducts will follow the access tracks to each turbine location and are illustrated on the site layout drawings included as Appendix 4-1 of the EIAR, the exact number and configuration of cable ducting may vary within the cabling trench. The cabling may be placed on either side of the roads, on both sides of the road and/or within the road. The proposed configuration of the underground cabling will adhere to the requirements of the electrical designers.

The existing cable trenches run parallel to the access roads, therefore as part of the Prospective Development, cable laying works will be completed, and cable trench areas will be covered and/or reinstated to result in roads on site having a minimum running width of approximately 5 metres.

6.3.4 Watercourse Crossings

The Prospective Wind Farm site is drained by a network of natural watercourses and manmade land drains. These are described in Chapter 4: Description of the Existing Development of the rEIAR.

There are a total of 18 no. crossings located over EPA mapped watercourses within the Wind Farm Site. 14 no. of these crossings were upgraded/constructed as part of the Existing Development and no works will be required at these locations other than the minor upgrades to the existing roads.

There are 2 no. EPA mapped watercourses within the BMEP Site. Please refer to Section 6.3.11.2 below for further details in relation to the temporary crossings that will be used at these locations as part of the BMEP proposals.

More significant works are required at the following watercourse crossings:

- More substantial road upgrades and works are required on the access road to T18 and this section of road is mapped to cross 3 no. EPA mapped watercourses (unnamed tributaries of the Bunadaowen River). Existing culverts already exist at these locations and the Prospective Development includes the upgrades of these culverts. Please note, these crossings are labelled as NR 102 (EC18), NR 14 (EC12) and NR15 (EC19) on the drainage drawings included in Appendix 4-4 of the EIAR.
- As part of the Existing Development, a culvert was installed in a temporary configuration along the access road to T14 (labelled as NR. 48 (PC2) on the drainage drawings included in Appendix 4-4 of this EIAR). As part of the Prospective Development, it is proposed to upgrade this culvert into its final design configuration, via a new box culvert. This will be constructed to the specifications of the Office of Public Work (OPW) bridge design guidelines '*Construction, Replacement or Alteration of Bridges and Culverts - A Guide to Applying for Consent under Section 50 of the Arterial Drainage Act, 1945*'.
- The proposed amenity track is mapped to cross the Bunadaowen River in the north of the Wind Farm Site. This will serve pedestrians only. The proposed crossing will comprise a clear-span steel and timber footbridge. No permanent structures will be located within the watercourse channel and the existing bed and banks will remain undisturbed.
- A culvert extension may also be required on the EPA mapped watercourse located to the east of the temporary construction compound to the south of T10, where it is proposed to extend the hardstand. Note that the watercourse is already culverted beneath the existing hardstand (labelled as NR. 37 (EC8) on the drainage drawings).

Please refer to Section 9.5.2.8 of Chapter 9 of the EIAR for further details on the above watercourse crossings.

6.3.4.1 Culvert Crossing

Some culverts may be installed to manage drainage waters from works areas of the Prospective Development, particularly where the waters have to be taken from one side of an existing roadway to the other for discharge.

All new proposed culverts and proposed culvert upgrades at field drain crossings required for the Prospective Development will be suitably sized for the expected peak flows in the relevant drain. Some culverts may be installed to manage drainage waters from works areas of the Prospective Development, particularly where the waters have to be taken from one side of an existing roadway to the other for discharge. The size of culverts will be influenced by the depth of the track or road sub-base. In all cases, culverts will be oversized to allow mammals to pass through the culvert. All culverts will be inspected regularly to ensure they are not blocked by debris, vegetation or any other material that may impede conveyance. Please refer to Chapter 9: Hydrology and Hydrogeology for further details.

6.3.5 Temporary Security Cabin

A temporary security cabin is located beside the onsite 110kV substation, within the temporary construction compound. It is proposed that the security cabin will be operated during the construction phase of the prospective development.

6.3.6 Temporary Construction Compound

There are two existing temporary construction compounds within the Wind Farm Site. One of the compounds is located in the vicinity of the existing 110kV on-site substation. This compound is proposed for continued use during the construction phase of the Prospective Development.

The second temporary construction compound is located along the access track just south of T10. It is proposed that this compound will continue to be used and will be extended by approximately 800m² as part of the Prospective Development works, to accommodate the turbine manufacturer's welfare requirements. During the construction of the Prospective Development, this compound will comprise temporary site offices, staff facilities and car-parking areas for staff and visitors. Temporary port-a-loo toilets and toilets located within a staff portacabin will be used during the construction phase. Wastewater from staff toilets will be directed to a sealed storage tank, with all wastewater being tankered off site by permitted waste collector to wastewater treatment plants. There will also be a water supply on site for hygiene purposes, by way of a temporary storage tank. The temporary construction compound will include a bunded refuelling and containment area for the storage of oil, lubricants and site generators etc, and full retention oil interceptor.

The layout of the temporary construction compounds are shown in Figure 4-17 and Figure 4-18 of the EIAR.

6.3.7 Treeline Felling and Replanting

Much of the felling works to accommodate the wind farm was completed during the construction of the Existing Development, however additional felling of commercial forestry (conifer plantation (WD4)) is required within the Wind Farm Site as part of the Prospective Development. Furthermore, tree felling is also required within the BMEP Site to facilitate the conversion of these areas to peatland and scrub habitats.

Both permanent and temporary felling is proposed as part of the Prospective Development. Within the Wind Farm Site, ~8.6ha of permanent felling and ~3.5ha of temporary felling is required, whilst the felling required within the BMEP Site totals ~109.4ha of permanent felling (note, this comprises the ~108.4 ha to be felled for hen harrier habitat enhancement, and additional felling to facilitate the

access to the BMEP Site). Therefore, there will be the permanent removal of ~118 ha of commercial forestry at the Site (~121.5 ha when temporary felling is included).

The forestry felling activities required as part of the Prospective Development will be the subject of a Limited Felling Licence (LFL) application to the Forest Service in accordance with the Forestry Act 2014 and the Forestry Regulations 2017 (SI 191/2017) and as per the Forest Service's policy on granting felling licenses for wind farm developments. The policy requires that a copy of the planning permission for the Proposed Wind Farm be submitted with the felling licence application; therefore, the felling licence cannot be applied for until such time as planning permission is obtained for the Prospective Development.

6.3.7.1 Tree Replanting

In line with the Forest Service's published policy on granting felling licences for wind farm developments, areas cleared of forestry for access roads, and any other wind farm-related uses will have to be replaced by replanting at an alternative site or sites. The Forest Service policy requires replacement or replanting on a hectare for hectare basis for the felling carried out as part of the Prospective Development.

The identified ~8.6 hectares (ha) of conifer plantation that will be permanently felled for the Prospective Development within the Wind Farm Site will be replaced or replanted on a hectare for hectare basis as a condition of any felling licence that will be issued in respect of the Prospective Development felling. Replanting is a requirement of the Forestry Act and is primarily a matter for the statutory licensing processes that are under the control of the Forest service. The replacement of the felled forestry as part of the Prospective Development may occur on any lands, within the State benefitting from Forest Service Technical Approval⁹ for afforestation, should the Subject Development receive planning permission. Under the Forestry Regulations 2017, all applications for licences for afforestation require the prior written approval (technical approval) of the Minister for Agriculture, Food and the Marine. Before the Minister can grant approval, he/she must first determine if the project is likely to have significant effects on the environment (for EIA purposes) and assess if the development, individually or in combination with other plans or projects is likely to have a significant effect on a European site (for Appropriate Assessment purposes).

In addition to the ~8.6 ha of permanent felling, ~3.5 ha of temporary felling is also required within the Wind Farm Site to facilitate the Prospective Development.

The applicant commits to replanting the ~8.6 ha of conifer forestry outside the hydrological catchment within which the Prospective Development is located. On this basis, it is concluded that there will be no cumulative effects associated with the replanting of ~8.6 ha of conifer forestry. Therefore, the conifer forestry replanting is not considered further in the impact assessment chapters of the EIAR. In addition, the applicant commits to not commencing the Prospective Development until both a felling and afforestation licence(s) is in place and, therefore, this ensures the afforested lands are identified, assessed and licenced appropriately by the relevant consenting authority.

As part of the Prospective Development, ~9.1 ha of the combined ~3.5 ha of temporary felled coniferous forestry (outlined above) and the 6.76 temporary felling that has already been undertaken as part of the Existing Development (as outlined in Section 4.4.1.9 of the rEIAR) will be replanted within the Wind Farm Site. The remaining ~1.2 ha of temporary felling will be replanted outside the hydrological catchment within which the Prospective Development is located, as these areas are no longer suitable for replanting within the Wind Farm Site due to existing and proposed infrastructure.

A derogation will be sought in relation to the felling requirements at the BMEP Site, and if obtained, no replanting will be required for the felling that is undertaken to facilitate the BMEP Site. In the event

⁹ All proposed forestry developments where the area involved is greater than 0.1 hectare must receive the prior written approval of the Forest Service. The application for approval is known as Pre-Planting Approval – Form 1.

that this derogation is not obtained, the replanting obligation for the felling undertaken at the BMEP Site will be replanted on a hectare for hectare basis outside the hydrological catchment within which the Prospective Development is located.

6.3.8 Peat, Spoil and Stone Management Areas

6.3.8.1 Peat and Spoil Management Areas

It is proposed to manage any excess overburden generated through construction activities locally within the Wind Farm Site, in identified peat and spoil management areas, outlined in Table 4-8 of the EIAR, and detailed in Appendix 4-2 Peat and Spoil Management Plan of the EIAR. Appendix 4-2 of this EIAR also outlines the quantities of peat and spoil generated and requiring management as part of the Proposed Development.

Once the construction of the Prospective Development has been completed, it is proposed that sections of the existing borrow pits, as well as a dedicated peat cell at T18, are backfilled with excavated material, and remaining peat to be used for landscaping within the Wind Farm Site.

Detailed planning drawings of the peat and spoil management areas are provided in Appendix 4-1 of the EIAR. Further details on construction methodologies, including recommendations and best practice guidelines for the placement of peat and spoil in borrow pits, are detailed in Section 4.9.5 of the EIAR, and in FTC's Peat & Spoil Management Plan (Appendix 4-2 of the EIAR).

The total estimated volume of peat and spoil to be managed following excavations during the construction phase of the Prospective Development is ~ 79,100 m³. It is proposed to manage any excess overburden generated through construction activities locally within the Wind Farm Site. The total capacity of the identified spoil management areas within the Wind Farm Site is ~ 150,000 m³; thus there is more than enough capacity to manage the total volume of spoil requiring management for the Prospective Development. The peat and spoil management areas have been selected based on the locations of peat and spoil generation, areas suitable for peat and spoil management and avoiding environmentally constrained areas.

A summary of the proposed peat and spoil management areas within the Wind Farm Site is provided in Table 6-5 below.

Table 6-5 Summary of Peat and Spoil Management Areas within the Wind Farm Site

Location	Peat and Spoil Volume (m ³) (approx.)	Comment
Peat Cell at T18	8,700	Backfilling of existing excavation in bedrock
Existing Borrow Pit (BP1)	31,700	Backfilling of existing excavation in bedrock
Existing Borrow Pit (BP2)	5,500	Backfilling of existing excavation in bedrock
Borrow Pit (BP3)	99,500	See Drawing P24-234-0602-0006 of the PSMP in Appendix 4-2 of this EIAR for further details. The material to be placed in the borrow pit will be a mixture of peat and spoil.
Landscaping ⁽¹⁾	4,600	Landscaping around the development footprint including the cabling corridor adjacent to the roads.
Total	150,000m³	

Note (1) Some of the acrotelm (upper layer of the peat) excavated during construction will be used for landscaping purposes.

6.3.8.2 **Crushed Stone**

The quantity of crushed stone required for the construction of the Prospective Development has been calculated as part of the PSMP in Appendix 4-2 of the EIAR, and is presented in Table 6-6 below. This excludes the final binding layer which will come from an external source, which is estimated to be 8,000m³.

Table 6-6 Summary of Stone Volume Requirements

Infrastructure Element	Typical Dimensions	Stone Volume (m ³) (approx.) ⁽¹⁾	Comment
Turbines and Hardstands	27m diameter excavation footprint for turbine foundation with 50 x 30m finished hardstand surface.	25,950	Hardstanding area and foundation footprint. Allowance included for mini-crane pads and blade finger hardstands associated with the main hardstand, plus allowance for side slopes in areas of fill.
Access Roads (including cabling)	Assumed 5m running surface with 6-8m wide development footprint. Typical stone depth of 0.3-0.5m.	33,350	Allowance includes for widening on bends, at junctions, laybys, and tie-ins to hardstands.
Meteorological Mast	12.5 x 14.5m hardstanding area	280	
Berm at road to T01/T02		5,500	
T04 floating road replacement		5,000	Floating road section on approach to T4 to be removed and replaced with solid founded road.
T07 Access Road		1,700	Removal of existing floated road section - floating road to be upgraded to solid founded road.
Floating Forestry Access Track to BMEP Site	3m running width with 4m footprint	2,400	Includes upgrade of section of existing floating road and turning head.
Total		74,180m³	

Note (1) contingency factor of 10% has been applied to the volumes to allow for expected bulking upon excavation and to allow for a variation in ground conditions across the Wind Farm Site.

6.3.9 On-Site Amenity Facilities

As part of the Prospective Development, on-site amenity facilities are proposed in the form of a community garden/picnic area and play area, as well as amenity trails with pedestrian paths linking up with the wind farm access roads within the Wind Farm Site, which will be open for public use.

A timber boardwalk will be constructed to the south of T6 that leads to a viewpoint point overlooking Carrickaduff Lough. Construction will be non-invasive and will take the form of a wooden boardwalk – please see Section 4.9.7 of the EIAR for further details on construction methodologies. The boardwalk will be constructed by driving large timber poles vertically before mounting a frame and the walking platform. The lakeside viewing point will be a timber platform with railings and signage. The board walk and viewing platform will be approximately 200m in length from where it starts at T6.

It is proposed that a small picnic area, playground and wild garden, with adjacent carparking will be constructed along the northern boundary of the Wind Farm Site, with access to the area from the L-

6554 Local Road via an existing forestry access road. The playground will be surrounded with weld mesh fencing and have sprung access gates. The combined area of the car park and amenity area will be approximately 930m². The community park will have gates installed to prevent access during adverse weather events, timber harvest etc. This will be maintained by the wind farm developer or other nominated entity. A pedestrian access track will be constructed to link the amenity park in the north of the Wind Farm Site to the wind farm site access roads, and will include a steel and timber footbridge to facilitate crossing of the Bunadownen river. The gravel trail will be surfaced with gravel, similar to the surfacing used on the wind farm access roads. Please refer to Section 4.9.7 of the EIAR for construction methodologies for this gravel trail.

The existing wind farm access roads will be open for public use, with approximately 9km of waymarked trails available as part of the amenity proposals. There will be specific trails which will be indicated by on-site signage and notice boards. Trails are broken into differing distances with walkers able to choose a route to suit their ability. Rest benches and waypoint signage will be provided along the marked routes. All trails will be accessible from the aforementioned community area car park.

Please refer to Appendix 6 of this Planning Report for letters of support from the community in relation to the amenity area described above.

6.3.10 Grid Connection Site

There are no works associated with the Grid Connection Site proposed as part of the Prospective Development. Occasional maintenance works may be required on an ad-hoc basis during the operational phase of the Subject Development. Although the level of activity required for the maintenance of the Grid Connection infrastructure is minimal, the impacts associated with traffic volumes for this period are assessed in Ch. 15: Material Assets: Traffic and Transport of the EIAR.

6.3.11 BMEP Site

A Biodiversity Management and Enhancement Plan (BMEP) has been prepared for the Prospective Development and is included as Appendix 6-4 of the EIAR. The BMEP contains proposed measures to ensure that there is no net habitat loss for hen harrier due to the Prospective Development. The comprehensive BMEP is first and foremost a deforestation plan, as commercial forestry is a key threat/pressure of *High Importance* acting on hen harrier nationally.

6.3.11.1 Enhancement Measures

Two different types of enhancement areas within the BMEP Site have been selected for habitat restoration measures as part of the Prospective Development.

Peatland Habitat Restoration

As part of the BMEP, it is proposed to restore 6.2 ha of peat habitat. The location of the proposed peatland enhancement area was chosen specifically because it supports poorly grown forestry on deep peat habitat with blanket bog vegetation persisting over much of the ground layer. It has a flat topography and is accessible from existing roads to the south of the parcel. There is an elevation difference of 4m (174m elevation south-west to 170m elevation north-east). The topography on site is therefore suitably flat for surface smoothing and furrow blocking or the effective installation of peat dams where required, which is the preferred drain blocking solution in line with NatureScot best practice guidance.

The proposed enhancement of 6.2ha of peatland habitat through the measures described in the BMEP in Appendix 6-4 of the EIAR will restore approximately twice as much peatland habitat than was lost or damaged as a result of the Existing Development.

Hen Harrier Habitat Restoration

The main objective of the hen harrier habitat enhancement measures is to create, maintain and improve habitats for the benefit of foraging hen harrier. Hen harrier habitat enhancement will be undertaken across approximately 108.41 hectares of currently conifer plantation on peatland. The target condition for this habitat will be open heathland, with pockets of willow and birch scrub throughout, covering a maximum of 30% of the enhancement area in total.

Parcel 1 of the BMEP Site is 70.5ha of commercial forestry that was planted in 1995 and is all unenclosed ground. The majority of tree species are Sitka Spruce with some Lodgepole Pine and Japanese Larch. There is one ridelane through the plantation, as well as a stream located along the eastern boundary and there is an internal stream crossing the plantation. The canopy of the trees is closed. Sections within Parcel 1 include firebreaks with species compositions characteristic of upland blanket bog (PB2).

Parcel 2 of the BMEP Site is a 45.7ha parcel of conifer commercial forestry. Parcel 2 includes forestry, which did not take well to the wet, peaty soils, resulting in patchy mosaics of conifer plantations (WD4) and areas in which the species composition is characteristic of upland blanket bogs (PB2) and wet heath (HH3). There is one access road which has become largely overgrown.

The BMEP Site is currently forested and of low ecological value to foraging hen harrier. Forestry is a net negative for hen harrier, as highlighted in Article 12 reporting. Although commercial forestry can provide suitable hunting habitat for hen harrier in the first ten years of tree growth, before a thicket forms, the trees are typically harvested every 40-45 years, therefore the parcels are likely to be unsuitable for up to 35 years (or 75% of the lifetime).

Permanent felling to waste will be undertaken as set out in the BMEP in Appendix 6-4 of the EIAR. Timber and brash will be gathered and removed from the parcel in line with best practice. Windrow is not considered suitable for the blanket bog enhancement area, as best practice guidance recommends that brash recovery is particularly important in water quality sensitive catchments. Brash mats may be left in place to facilitate access for enhancement activities.

A full description of the enhancement measures and methodologies (including monitoring measures) to be employed at the BMEP Site is provided in Appendix 6-4 of the EIAR.

6.3.11.2 Temporary Watercourse Crossings within the BMEP Site

There are 2 no. EPA mapped watercourses within the BMEP Site. In Parcel 1, one stream runs from west to east and bisects the parcel. This watercourse will need to be crossed to facilitate the proposed works. In Parcel 2, a watercourse runs in a south westerly direction in the southern section of the western parcel for approximately 250 m. The crossing of these watercourses will be avoided wherever possible. However, where temporary crossings cannot be avoided, the following measures will be applied:

- No instream works will be undertaken.
- No watercourse will be interfered with and temporary bridge construction will ensure that water flow will not be impeded and conveyance of increased water flow resulting from above normal rainfall.
- Movement of fish will not be impeded.
- Crossings points will be constructed at right angles to the water flow.
- On sloping ground, temporary bridges to be constructed in a 'Hump Back' fashion. This will reduce the risk of silt flowing down the wheel ruts and directly entering the stream/drain being crossed.
- Any run-off will be diverted onto a buffer strip at a suitable point well above the stream.
- The machine track leading to the bridge will be very well brashed and ruts that can act as water channels down to the stream will not be allowed to develop

- Bridging logs will be placed from top of bank to top of bank to ensure that the natural stream banks are left intact.
- The temporary watercourse crossings will be removed following the completion of the works.

6.3.11.3 Summary

The BMEP sets out the measures to manage and enhance the biodiversity in the locality of the Prospective Development. Specifically, proposed peatland restoration will result in enhancement of peatland habitat on the BMEP Site, while also offsetting the losses of degraded wet heath to facilitate the wind farm and result in habitat of higher suitability for hen harrier, alongside the establishment of areas of patchy willow-dominated scrub.

The BMEP has set out measures to be implemented during establishment and management phases to ensure that the targets of this BMEP are successful. It also provides for monitoring of the target habitats by an ecologist to ensure the success of the measures outlined in the BMEP.

Full details of the enhancement measures outlined above are outlined in Appendix 6-4: BMEP of the EIAR.

6.4 Peat Slide Restoration – Section 12

As stated in Section 4.2.2 of this Report, the remedial works to address the effects of the peat slide that occurred on November 12, 2020 were undertaken as part of a direction issued by DCC under Section 12 of the Local Government (Water Pollution) Act, 1977. The undertaking of AA screening and EIA Screening in advance of the emergency works confirmed that neither an EIA nor an AA was required.

These elements of the Exempted Development which are described in this section are works which were carried out in response to the peat slide which occurred on 12th November 2020. The peat slide occurred during the construction of an access road to T7 (as detailed above in Section 4.2.1) in accordance with the plans and particulars which were fully permitted and were being undertaken in line with the project design that had been subject to both Environmental Impact Assessment and Appropriate Assessment. The works that were carried out do not form part of the Subject Development.

Between December 2020 and August 2021, four individual Action Plans were prepared to mitigate the effects of the peat slide incident, which included measures for the restoration of the Shruhangerve stream. Following receipt of the necessary approvals from DCC with respect to the proposals contained within each of the Action Plans, the proposed measures were implemented on-site as expeditiously as possible or at the appropriate time of year where certain measures were seasonally dependent. All measures proposed in the four separate Action Plans and approved by DCC to mitigate the effects of the peat failure through the installation of enhanced environmental protection measures and habitat restoration measures, were completed successfully.

6.4.1 Capture and Removal of Peat

During remediation works, large volumes of sediment were successfully impounded behind Wall 1 and prevented from entering downstream watercourses. Approximately 79% of water flows entering the Shruhangerve catchment upstream of Wall 1 were intercepted upstream of the impounded sediment and diverted away from the sediment impounded behind Wall 1, thereby minimising the re-mobilisation of the impounded sediment.

A system of interceptor drains was constructed which diverts water from the Shruhangerve Stream upgradient from the location of the slide area and directs it via 2 no. clean water pumps to a discharge

point below Wall No. 1. The interceptor drains were put in place to divert clean water away from the areas of peat deposit upstream of Wall No. 1, preventing the stream water becoming silt laden and preventing the water mobilising sediment it would otherwise encounter in this section of the Shruhangerve Stream channel.

6.4.2 Rehabilitation of Slip Scar and Shruhangerve Stream

6.4.2.1 Slip Scar Rehabilitation

The slip scar downstream of Wall 3 covers a total of approximately 2.5 ha. The majority of the peat that was in the slip scar was displaced during the 12th November peat slide event. As a result, there is now a relatively shallow layer of peat remaining in this area underlain by rock and mineral subsoil. There is currently water discharging through Wall 3 and flowing down the slip scar to the Shruhangerve Stream. The discharge is concentrated and is flowing in a channel down the slip scar.

Following the peat slide event, fallen trees and large debris were removed from the areas around the slip scar. In order to stabilise the remaining peat and soil in the slip scar area and to aid in the revegetation of the area the following measures were implemented. The slip scar area was divided into 2 zones as follows:

- Zone 1 comprises of wetter areas immediately adjacent to the discharge channel and has an area of approximately 3,395 m².
- Zone 2 comprises the remainder of the slip scar outside of Zone 1 and has an area of approximately 5,997 m².

6.4.2.2 Reinstatement of Shruhangerve Stream

Restoration works were carried out to the Shruhangerve stream in response to a notice issued by Donegal County Council (DCC) dated 17th November issued under Sections 10 (5), 12 (1) and 23 (1) of the Local Government (Water Pollution) Acts, relating to the discharge of peat, sediment, and heavily soiled water from the Wind Farm Site to the Shruhangerve stream and Mourne Beg River.

For the purpose of describing the works the stream is divided into 3 parts (reaches) and works at each reach described below.

6.4.2.2.1 Stream Reach 1: Slip Scar to Wall 2

The restoration approach for Stream Reach 1 was carefully chosen to ensure long-term stability by maintaining the channel's cross-sectional dimension and profile. Due to constraints within the reach, significant changes to the channel pattern were deemed impractical. The design also incorporated elements to provide appropriate instream aquatic habitat, and native species were planted along the stream banks and riparian zone to enhance bank stability and reduce soil erosion.

Site conditions limited the use of heavy machinery, which influenced the restoration techniques that could be practically implemented. Initially, the focus was on enhancing relatively intact sections of the stream channel by removing minor blockages, recontouring banks as necessary, and using bioengineering techniques such as live staking and the installation of live willow fascines in strategic locations. In areas where the existing channel was poorly defined, a new channel was constructed through a combination of excavation and reconstruction of lost stream banks using vegetated geogrids.

To ensure the vertical stability of the channel in the long term, a limited number of grade control measures, including cross vanes and rock drop structures, were installed in areas with especially steep gradients. These measures replaced the natural rock grade controls that likely existed in the channel

before the peat slide. The entire reach was heavily planted with native willows to promote stability through root development and to provide shade to the channel in the longer term. Once the restoration of the stream channel was completed, flow was restored to the new channel, and any residual sediment was washed out and captured at Wall 2 and Wall 1 to protect downstream water quality.

6.4.2.2.2 **Stream Reach 2: Wall 2 to Wall 1**

For the purpose of describing the works, Reach 2 is divided into three sub-reaches: Upper, Middle, and Lower. Each sub-reach underwent specific restoration activities. The restoration activities undertaken in each section are described below.

Reach 2 (Upper)

The upper portion of Stream Reach 2 (approximately 160 m immediately downstream of Wall 2) was obstructed by numerous fallen and/or unstable trees that had been damaged in the initial peat slide. Plate 4-10 of the rEIAR is representative of the dangerous trees in Reach 2 prior to commencement of restoration work. These trees posed a serious health and safety risk to workers implementing the restoration works on the Shruhingarve Stream, therefore these trees were removed and the area made safe for accessing the stream.

A photograph of Reach 2 following the removal of the unsafe trees is provided in the rEIAR (Plate 4-11). Once the trees and debris were removed, it became apparent that much of the stream channel was relatively intact. Blockages in the channel were removed using hand tools. The banks were seeded, and coir matting was installed along the stream banks. Live stakes (*Salix sp.*) were installed on both sides of the re-established stream channel as well as approximately 53m of live willow fascines. Plate 4-12 of the rEIAR was taken in July 2025 and shows recovery of riparian vegetation in the same area as Plate 4-11 of the rEIAR. A single grade control structure was installed at the upstream end of the re-established stream channel. This grade control structure was designed to minimise the risk of headcutting in the channel and also served as the link point between Reach 2 and the restoration of Reach 1.

Reach 2 (Middle)

The middle portion of Reach 2, about 90 m in length, had an intact original stream channel with minimal obstructions. Peat deposition on the stream banks was light, and natural riparian vegetation was present. Localised heavy peat deposits were removed, the riparian zone was seeded with native grass, and large woody debris and minor channel obstructions were cleared using hand tools. Coir fibre matting was used in limited areas to protect the banks while vegetation re-established. Plate 4-13 of the rEIAR shows the middle portion of Reach 2 in July 2025.

Reach 2 (Lower)

The lower portion of Reach 2 is approximately 130 m in length and was formerly inundated with water and peat sludge that was impounded upstream of Wall 1. This impoundment prevented the movement of additional material downstream. Tracked excavators were used to remove accumulated peat which was then moved to the borrow pits for permanent storage. Slurry tankers were also used to pump liquified peat from the impoundment and safely transport it to the peat cells in the borrow pits. This allowed a further lowering of the water upstream of Wall 1 and facilitated access for the excavators to remove further peat accumulations within the impoundment.

As the water level in the impoundment dropped, the original course of the stream channel became apparent. The channel had been much degraded and was clogged with accumulated peat deposits. The deposited peat was removed from the channel, and the stream banks were matted with coir fibre

matting to reduce the risk of erosion. A total of approximately 93 m of stream channel was re-established in the formerly impounded area.

Once all significant peat deposits were removed from the lower portion of Reach 2 down to the level of the native ground the area was seeded with a native grass seed mix to provide surface protection from erosion. A ponded area approximately 30 m long x 15 m wide, immediately upstream of Wall 1 was left to provide attenuation for high flows and to continue to act as a silt trap to prevent any sediment that might arise from upstream works from proceeding further downstream. This area has now naturalised and will be left in situ as a biodiversity pond. Following the removal of the accumulated peat and sediments upstream of Wall 1 the two existing 600 mm overflow pipes in Wall 1 were removed and replaced with a 900 mm pipe with an invert elevation of 217.92 m.

6.4.2.2.3 **Stream Reach 3: Wall 1 to Coillte Forestry Boundary**

Stream Reach 3 is approximately 225 m in length. There was significant peat deposition throughout this reach as well as a number of debris blockages. Access to this reach was difficult due to the existing forestry and steep slopes adjacent to the stream. Coir fibre matting was installed on both stream banks for approximately 100 m downstream of Wall 1. The entire area was seeded, and native willow live stakes were installed along both banks of the channel. Minor debris blockages were removed from the channel by hand.

7.

PLANNING POLICY APPRAISAL

An extensive and complete planning policy context in respect of the Subject Development is included in Chapter 2 of the rEIAR and the EIAR. For the purpose of this report, and for conciseness, the compliance summary table (Table 7-1) sets out an assessment of the Subject Development in the context of relevant international, national and regional policy.

Table 7-1: EU, National & regional Policy Objective and Compliance Summary Table

Policy/Legislative Document	Targets/Objectives	Compliance
REPowerEU	- Accelerate the roll-out of renewables - Increase the 2030 target for renewables from 40% - 45% - Tackle slow and complex permitting for major renewable projects	Considering the urgency required under the REPowerEU, it is imperative that all suitable sites, such as the site, are developed as soon as possible, in accordance with proper planning and sustainable development.
Renewable Energy Directive	42.5% renewable energy by 2030, aiming for 45%	The Subject Development will increase Ireland's renewable energy share, contributing towards Ireland's climate and energy obligations under EU law.
European Green Deal	Increases the binding target of renewable sources in the EU's energy mix from 32% to 40% by 2030. Recognises that 75% of the EU's greenhouse gas emissions stems from the production and use of energy, emphasising the need to decarbonise the EU's energy system.	By providing renewable wind energy the Subject Development supports the European Green Deal's objective of decarbonising the EU's energy system and increasing renewable sources in the EU's energy mix.
Climate Action and Low Carbon Development (Amended) Act 2021	A 51% reduction in emissions by 2030. Net-zero emissions by 2050. Under Section 15, public bodies are required to, in so far as practical, perform its functions in a manner consistent with the Climate Action Plan 2024, the National Energy & Climate Plan 2021 – 2030 and other national climate mitigation and adaptation plan.	The Subject Development will contribute towards the legally binding emissions reductions targets for 2030 and 2050.
Climate Action Plan 2025	9GW of onshore wind by 2030	The Subject Development will contribute directly towards the CAP25 goals of 9GW of wind energy by 2030 and renewable electricity share of 80% by 2030. Onshore wind is identified as being critical in the decarbonisation of the electricity and as such the Subject Development should be considered in that regard. Given that Ireland is currently behind

		trajectory in achieving its 2030 renewable energy and onshore wind targets, the granting of permission for the Subject Development would make a meaningful contribution towards closing this gap and advancing compliance with national climate and energy policy objectives Under Section 15 of the Climate Act, public bodies are obliged to, in so far as practical, perform their functions in a manner consistent with the latest Climate Action Plan, the National Energy & Climate Plan 2021 – 2030, and other national climate mitigation and adaptation plans. An Coimisiún Pleanála (ACP), as a public body with consenting functions, must comply with this obligation in determining the subject application
Project Ireland 2040: The National Planning Framework First Revision	National Strategic Outcome 8: Transition to a carbon neutral and climate resilient society	The Subject Development is in line with the objectives of the NPF First Revision which seeks to transition to a carbon neutral and climate resilient society. If permitted, the Subject Development will contribute to the achievement of National Policy Objectives 70, 74 & 75.
National Development Plan 2021-2030	National Strategic Outcomes 8: Transition to a Climate-Neutral and Climate Resilient Society	The NDP is clear in its priority to reach a low-carbon, climate resilient society over the lifetime of the plan. The Subject Development, if permitted, will provide clean, renewable electricity to the national grid, furthering development objectives of the NDP.
National Development Plan Review 2025	Recognises wind energy as a key enabler of the State's legally binding commitment to reduce greenhouse gas emissions by 51% by 2030, including a 75% reduction in emissions from the electricity sector.	The Subject Development will provide clean, renewable, electricity to the national grid, thus contributing to the decarbonisation of the electricity sector.

National Energy Security Framework	- Ensuring security of energy supply in the near-term; - Reducing our dependency on imported fossil fuels in the context of the phasing out of Russian energy imports across the EU.	The Subject Development will reduce the need for imported fossil fuels for electricity, improving national energy security.
The National Energy & Climate Action Plan 2021-2030	- Decarbonisation – Renewable Energy - Energy Security	The Subject Development will contribute to achieving key decarbonisation and energy security objectives by adding a new renewable electricity generator to the national grid.
Energy Security in Ireland to 2030 – Energy Security Package	- Reduced and Responsive Demand - Renewables-led System - More Resilient Systems - Robust Risk Governance	The Subject Development supports the objectives to ensure the State's energy security. This Subject Development serves as a renewable energy generator capable of providing clean electricity to the national electricity grid.
Wind Energy Guidelines	- Acceptable noise thresholds and monitoring frameworks - Visual amenity setback and spacing - Control of shadow flicker - Compliance with community consultation and dividend requirements - Consideration of the siting, route and design of the proposed grid connection as part of the whole project	The Subject Development complies with the requirements set out by the Guidelines (DoEHLG, 2006), including noise, set back, shadow flicker, and community consultation guidelines. It is anticipated that the Subject Development will be capable of adhering to the Draft Guidelines (DoHLP, 2019) when finalised
Northern & Western Regional Assembly Regional Economic and Spatial Strategy	RPO 4.17: To position the region to avail of the emerging global market in renewable energy by stimulating the Development and deployment of the most advantageous renewable energy systems RPO 4.18: Support the Development of secure, reliable and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs.	The Subject Development is in compliance with the Regional Economic and Spatial Strategy which supports the development of renewable energy in the region.

European Union (Planning & Development) (Renewable Energy) Regulations 2025	Transposes the provisions of the Renewable Energy Directive into planning legislation. Introduces new streamlined decision timelines for new wind farms and repowering projects and IROPI projects. Importantly, renewable energy developments, including related grid and storage infrastructure, are now presumed to be in the overriding public interest.	As the Subject Development is made under Section 177E of the Planning and Development Act, 2000, (as amended), the application is not subject to the provisions of the Renewable Energy Directive III (Directive 2023/2413) and is therefore not subject to the European Union (Planning and Development) (Renewable Energy) Regulations 2025. However, it must be noted, the revised Article 16f of the Renewable Energy Directive classifies the planning, construction and operation of renewable energy plants, the connection of such plants to the grid, the related grid itself, and storage assets are presumed as being in the overriding public interest.
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Local Policy Context

Donegal County Development Plan 2024-2030

The Donegal County Development Plan 2024 – 2030 (DCDP) was adopted by Resolution of Members on 16th May 2024. In accordance with Section 12(17) of the Planning and Development Act, 2000 (As Amended) ('the Act') the Plan shall have effect 6 weeks after the day that it is made i.e. 26th June 2024. On 26th June 2024 the Minister of State for Local Government and Planning issued a 'Notice of Intention to Issue a Direction' to the Planning Authority under Section 31 of the Planning and Development Act, 2000 (As Amended) ('the Act').

Climate change mitigation and adaptation objectives have been incorporated into the policies of the DCDP. This is to ensure that climate change has been consistently integrated into the policy themes addressed by the DCDP. Chapter 4 of the DCDP in conjunction with the Local Authority Climate Action Plan (LACAP) 2024 to 2029 sets out how Donegal County Council will be responsible for enhancing climate resilience, increasing energy efficiency, and reducing greenhouse gas emissions, across its own assets, services, and infrastructure, for which it is fully accountable, whilst also demonstrating a broader role of influencing, advocating, and facilitating other sectors, to meet their own climate targets and ambitions. This chapter also aligns itself with wider policies and notes that the DCDP "has an important role to play in the achievement of the national and international objectives".

With regard to renewable energy, Chapter 9 sets out the policy for the County's energy strategy. The DCDP acknowledges the importance of wind energy as a renewable energy source. It also highlights that Donegal is ideally and strategically located on the North-West Atlantic coast in terms of wind speed and consistency.

The DCDP sets out a number of General Objectives:

- **E-O-1** - To sustainably develop a diverse and secure renewable energy supply to meet demands and capitalize on the County's competitive locational advantage.
- **E-O-2** - To secure the maximum potential from the wind energy resources of the County commensurate with the receiving environment and local developments patterns consistent with the proper planning and sustainable development, thereby contributing to the national drive towards ensuring the security of energy supply.

The DCDP also sets out a number of Wind Energy Policies which set out a broad framework against which all windfarm developments will be considered.

The Subject Development will contribute to the fulfilment of these policy objectives outlined.

Policy WE-P-1 of the DCDP is pertinent, stating:

"The augmentation, upgrade and improvements of: existing windfarms; windfarm developments under construction; developments where permission has lapsed but substantial works have been completed, or on sites with an extant planning permission will be open to consideration where such proposals shall be generally confined to the planning unit of the existing development, or where a modestly-proportioned projection (relative to the established unit) beyond the established footprint can be demonstrated to be essential and unavoidable for the augmentation project in terms of operational efficiencies, and can demonstrate beyond reasonable doubt that all environmental issues can be adequately mitigated."

Table 7-2 Subject Development Compliance with DCDP Policy Objective WE-P-1A

WE-P-1A	Subject Development compliance with Policy
<i>The augmentation, upgrade, repowering and improvements of: existing windfarms; windfarm developments under construction; developments where permission has lapsed but substantial works have been completed, or on sites with an extant planning permission will be open to consideration in all three designated areas (‘Not Normally Permissible’, ‘Open to Consideration’, and ‘Acceptable in principle’) on Map 9.2.1</i>	The project meets a number of these criteria by comprising – ▪ ‘windfarm developments under construction’ (although construction is paused) ▪ ‘on sites with an extant planning permission’ (Subject Development relates to the Permitted Meenbog Windfarm (ACP Ref: 300460).) On the basis of the above, the Subject Development is considered to be ‘Open to Consideration’.
<i>where such proposals shall be generally confined to the planning unit of the existing development, or where a modestly-proportioned projection (relative to the established unit) beyond the established site can be demonstrated to be essential and unavoidable for the project in terms of operational efficiencies, and can demonstrate beyond reasonable doubt that all environmental issues can be adequately addressed.</i>	The red line boundary of the Subject Development is generally confined with the red line boundary of the Permitted Meenbog Windfarm. The red line boundary of the Subject Development includes for a Biodiversity Management Site totalling 108 ha of hen harrier habitat enhancement lands, which also includes blanket bog enhancement within. This Biodiversity Management Site has been established to provide approximately twice as much blanket bog habitat as has been lost or degraded by the Existing Development and peat slide combined, and approximately the same amount of permanent foraging habitat for hen harriers as will be lost by the Prospective Development, to ensure no biodiversity net loss by the Subject Development, as is therefore an essential element of the Subject Development.

The Subject Development is considered to be in compliance with Policy Objective WE-P-1A as it relates to a partially constructed windfarm and an extant permitted windfarm development and constitutes an augmentation and improvement of the approved Meenbog Windfarm. The proposed development is generally confined to the established planning unit of the permitted windfarm, with only limited additional lands required to facilitate habitat enhancement measures that are essential to the overall project and environmental mitigation strategy. Furthermore, the Subject Development demonstrates that environmental effects can be adequately addressed, including the delivery of biodiversity net gain through the restoration and enhancement of wet heath habitat. Accordingly, the proposal aligns with the criteria under WE-P-1A and is therefore considered to be “Open to Consideration” under the policy framework.

Policy **WE-P-5** is relevant to the Subject Development , having the aim “*To ensure that all roads associated with the Development of wind farms are maintained or repaired at the developer’s expense to the satisfaction of the Council.*”

Policy **WE-P-9** states: “*To ensure that the assessment of Wind Energy Development Proposals have regard to the following Specific Biodiversity Related Requirement:*

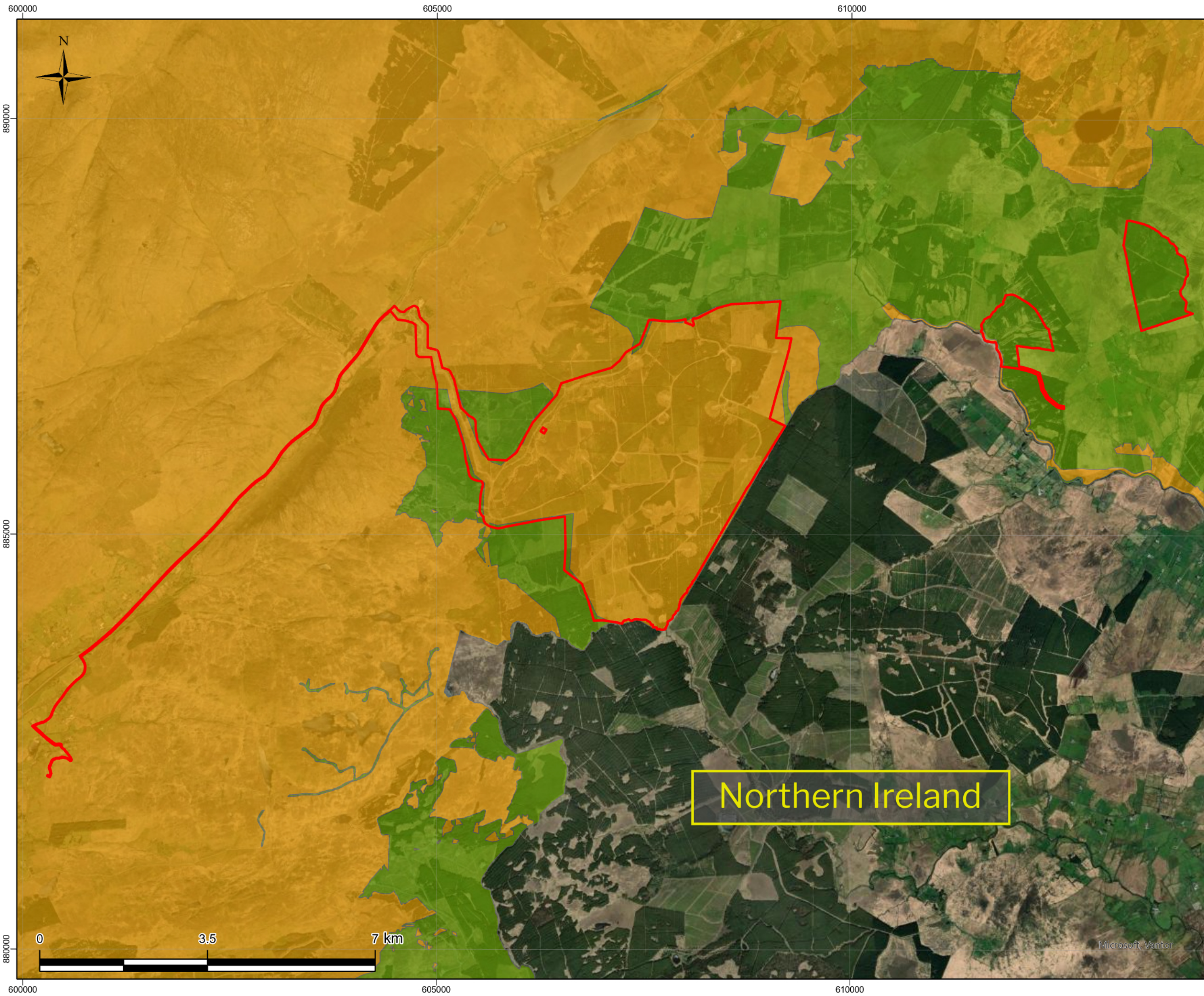
- *Loss of functionally linked habitat*
- *Mortality due to collision with operational wind turbines*
- *Disturbance displacement*
- *Water Quality"*

Chapter 9 characterises the county into 3 different policy areas aimed at facilitating large scale commercial wind energy developments. These policy areas are identified as a means of determining the principle of the acceptability or otherwise of proposed wind farm developments. The areas are *'areas considered suitable or unsuitable for new wind energy development that have been identified on foot of a comprehensive analysis of the environmental sensitivities and the wind energy potential of the County.'* The areas and descriptions are set out in Table 7-3 below.

Table 7-3 Donegal County Council Wind Energy Area Designations

Donegal County Council – Chapter 9	
Strategy Area	Description
Acceptable in principle	Wind farm developments shall be generally acceptable in principle in these areas
Open to Consideration	Wind farm developments shall be generally open to consideration in these areas.
Not Normally Permissible	Like the other two designations, these areas were identified on foot of a comprehensive analysis of the environmental sensitivities and the wind energy potential of the County. On foot of this determination, and in-line with national guidelines, it follows that most windfarm developments will not normally be permissible. This should apply in particular to such proposals on previously undeveloped sites, inclusive of sites with a lapsed un-implemented permission (and where substantive works have not been undertaken). Notwithstanding, and having regard to previous planning assessments and decisions and the subsequent investment incurred, it is the position of Donegal County Council that a more balanced approach is required when dealing with windfarm proposals in these areas where, crucially, there is an already existing strong planning history. This refers to the following categories: Existing Windfarms; Developments Under Construction ; Developments Where Permissions Have Lapsed But Where Substantial Works Have Been Completed; and Sites With a Live Permission but not yet started. For such sites, it is considered reasonable to allow for the consideration of proposals for the augmentation, upgrade and improvement of such developments in accordance with the details set out in Policy WE-P-1(c)(ii.) below

The Subject Development is located within a policy area designated as 'Not Normally Permissible', as illustrated in Figure 7-1 below. However, the development is currently under construction, as indicated by the highlighted text under **'Development Under Construction'** (refer to Table 7-3 above).



Map Legend

— Planning Application Boundary

Wind Energy Strategy DCDP 2024-2030

Not Normally Permissible

Open To Consideration

Spatial Reference
Name: IREN95 Irish Transverse Mercator
Datum: IREN95
Projection: Transverse Mercator

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SITE LOCATION - NOT TO SCALE

Drawing Title
DCDP 2024-2030 Wind Energy Designation Areas

Project Title
Meenbog Wind Farm, Co. Donegal

Project No. 240505g	Drawing No. 7-1	Scale 1:72,500
Drawn By KB	Checked By RK	Date 30/06/2026

Microsoft, Vector

MKO

Email: info@mkoireland.ie / Website: www.mkoireland.ie

The DCDP acknowledges the strong planning history of wind farm developments in certain areas designated as ‘Not Normally Permissible’ and provides for the consideration of proposals involving the augmentation, upgrade, and improvement of such developments within these areas. While the Subject Development is currently located within an area designated as ‘Not Normally Permissible’, the project is considered open to consideration under the current policy framework, as the development is under construction. Planning permission for the Meenbog Wind Farm was granted in June 2018 (ABP Ref: PA05E.300460), and substantive works have since been completed on the Site, as outlined in Section 2.1 of the Remedial Environmental Impact Assessment Report (rEIAR) accompanying this application. Accordingly, the proposed development is considered to align with the provisions of the DCDP. It is also noted that, at the time planning permission was granted on 25 June 2018 for the permitted Meenbog Wind Farm (ABP Ref: PA05E.300460), the lands were designated as ‘Open to Consideration’ under the Donegal County Development Plan 2012–2018.

Overall, it is evident that the DCDP is supportive of the delivery of wind energy projects, in the context of climate change mitigation and adaptation. The policy analysis demonstrates that the Subject Development continues to align with the key policy objectives outlined within the Plan.

7.1.1 Donegal Climate Action Plan 2024-2029

The Local Authority Climate Action Plan 2024 to 2029 (LACAP) sets out how Donegal County Council (DCC) will be responsible for enhancing climate resilience, increasing energy efficiency, and reducing greenhouse gas emissions, across its own assets, services, and infrastructure, for which it is fully accountable, whilst also demonstrating a broader role of influencing, advocating, and facilitating other sectors, to meet their own climate targets and ambitions.

The LACAP notes that Climate change is increasingly understood to be the most critical, long-term global challenge of our time. This is echoed by Ireland’s climate where Met Éireann stated that 2022 was ‘the warmest year on record’. This would see Ireland’s temperature above the long-term average for the 12th consecutive year.

Key strategies outlined to address climate change include efficient resource allocation, adaptation strategies, mitigation strategies. Specifically, the LACAP sets out policy objectives that increase the use of renewable energy, by aiming to “*Support the delivery of renewable electricity generation and transmission infrastructure within the County*”. Chapter 3 outlines key actions relating to this, which are set out below:

- **BE 4.3:** Prepare an overall Renewable Energy Strategy for the County.
- **BE 4.4:** Support local community-based renewable energy projects and new micro-generation and small-scale generation renewable energy projects
- **BE 4.5:** Advocate for the ongoing expansion and improvements to the electricity grid infrastructure within the County to support renewable generation and supply
- **BE 4.6:** Work with key partners and stakeholders to support the development of the offshore renewable energy sector in Donegal.

The LACAP states that planning policy supports “*Potential for the further integration of climate action policy and spatial planning across the policy areas of land use and transportation policy, energy efficiency, **renewable energy sources** and infrastructure, district heating, energy storage, natural environment policies, flood risk management and ‘smart towns/cities’ initiatives etc.*” (our emphasis added).

It is therefore evident that the Subject Development aligns with the key policies and objectives of the LACAP in its aim to provide a significant source of renewable energy to support demands, as a mitigation and adaptation response to the pressing issue of climate change.

Derry City and Strabane Local Development Plan 2032

The Derry City and Strabane Local Development Plan 2032 was adopted on the 10th July 2025. The Local Development Plan (LDP) notes that the District has particularly strong potential for generation of renewable and low carbon energy, especially from wind, hydro, biomass and solar. Energy derived from these sources contributes to a sustainable supply of same to local businesses and homes and also contributes to the drive for 'green electricity' generation across the island of Ireland through the interconnected grid. As of March 2017, the Derry City and Strabane District is the single largest producing council of renewable energy, generating approximately 27% across NI, having some 44 operational single wind turbines, and 12 wind farms. This demonstrates the Council's ambition to facilitate renewable energy projects in an aim to meet Government targets of reducing carbon emissions by 100% by 2050 (from 1990 levels) and also to achieve 80% electricity consumption from renewable sources.

Relating specifically to Wind Energy Development, the LDP sets out that proposals for wind energy development, including proposals for repowering of existing developments, will also be required to meet all of the following criteria:

- *the development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size and siting of turbines*
- *it is demonstrated that development will not create a significant risk of landslide or bog burst; nor will it exacerbate any existing surface water flooding*
- *no part of the development will give rise to unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems;*
- *no part of the development will have an unacceptable impact on roads, rail or aviation safety.*
- *turbines proximate to any public road, public right of way or railway line are set back a minimum distance of the fall over distance plus 10% from the edge of same.*
- *turbines proximate to any occupied or occupiable buildings are set back a minimum distance of the fall over distance plus 10% from the curtilage of same;*
- *the development will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light; and*
- *above-ground redundant plant (including turbines), buildings and associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location. A time limit condition of 30 years will normally be attached.*

The LDP also notes that "Within designated Wind Energy Capacity Areas (WECAs), any further wind energy development proposals, including re-powering, will need to be very carefully considered so that they do not unacceptably intensify existing adverse landscape impacts in these areas."

These policies highlight the strict parameters for wind farm development within the region. Both the Permitted Development and the Subject Development are in compliance with these policies. The Subject Development has been rigorously assessed concluding that no potential for cumulative impacts when considered in conjunction with Permitted Development were identified. There will be no impact on designated sites as a result of the Subject Development. Best practice preventative measures will be implemented to avoid effects on European Sites. As evident in the rEIAR, rNIS, EIAR

and NIS there will be no adverse effects on receptors listed as QIs/SCIs of European Sites, as a result of the development.

7.2

Summary of Planning Policy Compliance

The Permitted Development was granted planning permission in 2018 and as such the principle of wind energy development at the location of the Meenbog Wind Farm has therefore been established. Policy support for the continued deployment of renewable energy developments continues to exist at all levels of the planning policy hierarchy. The Subject Development, to which this Section 177E application relates, aligns with this policy support against the backdrop of a consented wind energy development, and the substantial wind farm infrastructure already constructed at the Site. Further planning policy assessment of the Subject Development is set out in Section 9 of this Report.

8.

VARIATIONS BETWEEN PERMITTED DEVELOPMENT AND SUBJECT DEVELOPMENT

Table 8-1 below highlights the significant variations between the Permitted Development and the Subject Development. As the Subject Development comprises both the Existing Development and Prospective Development, Table 8-1 illustrates the variations between the Permitted Development and these elements separately. Figures 8-1 to 8-3 show the detail of the locations of each variation as they are denoted in Table 8-1. To further inform the comparison, the Permitted Development planning drawings are included as Appendix 7 of this report.

Table 8-1 Variations between Permitted Development, Existing Development and Subject Development

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
Temporary Construction Compound (Figure 8-1)				
1.a	Permitted Substation Temporary Construction Compound north of the substation has not been constructed.	Not constructed as part of Existing Development.	Not proposed as part of the Prospective Development.	Environmental Reduction of potential impact on existing habitats. Localised reduction in air quality impact during construction phase of Prospective Development. Reduction in overall footprint of the Subject Development. Health and Safety risk with the secondary use of the permitted Wind Farm Temporary Construction Compound of fire and anti-social behaviour compound due to it's location proximate to forestry, and set back from the local road which was identified by Collite during the construction phase of the Existing Development. The relocation of the Wind Farm Temporary Construction Compound and resulting relocation Amenity Area reduces the health & safety risk, and therefore reduces fire risk and potential impact on existing habitats. Permitted Development includes a planted earth berm around the onsite 110kV Substation to limit its visual impact. The EIAR Landscape and
1.b	Permitted Wind Farm Temporary Construction Compound northeast of T15 has not been constructed. At location of permitted amenity proposal (to become amenity area post-construction).	Not constructed as part of Existing Development.	Not proposed as part of the Prospective Development.	
1.c	Not consented under Permitted Development.	Smaller Substation Temporary Construction Compound constructed to the east of the substation constructed as part of Existing Development.	Minor works and upgrades to Substation Temporary Construction Compound to accommodate continuation of the use of Security Cabin at the Wind Farm Site.	
1.d	Not consented under Permitted Development.	Wind Farm Temporary Construction Compound established to the southeast of T10 at the location of an existing forestry compound as part of Existing Development.	Proposed extension to existing Wind Farm Temporary Construction compound established to the southeast of T10. Permitted Wind Farm Temporary Construction compound omitted, thus amenity proposal in this location also omitted.	

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
				Visual Impact Assessment concludes that the visibility of the existing substation, in the absence of the permitted berm, has no impact on visual amenity.
Borrow Pits (Figure 8-1)				
2.a	Consented under Permitted Development.	Permitted Borrow Pit 1, located between T5 and T6, was not constructed as part of the Permitted Development due to ground conditions at the Wind Farm Site at time of construction.	Not proposed as part of the Prospective Development.	Environmental Continued extraction of BP1 and BP 2 is less impactful than development and extraction at Permitted (but undeveloped) Development Borrow Pit 1. Reduction in traffic movements to site during Prospective Development construction phase Currently undisturbed habitat will remain intact. Reduction in overall footprint of Subject Development. Engineering Recorded localised peat slippages in the area highlighted the engineering challenges to the construction of Permitted Development Borrow Pit 1. These challenges resulted in a decision to not pursue construction of Permitted Development Borrow Pit 1 at that location.
2.b	Not consented under Permitted Development.	Existing Development Borrow Pit 1 (BP1) was constructed along the road between the T12 and T14 junction, at location of an existing forestry borrow pit, which was not part of Permitted Development.	Continued extraction at BP1 location in area which has not be already used for peat and spoil management, and extension of footprint proposed in order to make surrounding area safe.	
2.c	Permitted Borrow Pit 2 (BP2) footprint utilised as part of Permitted Development.	BP2 was constructed to a slightly larger footprint than the permitted BP2.	Continued extraction at BP2 location in area which has not be already used for peat and spoil management.	
2.d	Permitted Borrow Pit 3 (BP3) footprint detailed as part of Permitted Development.	BP3 was constructed as part of the Existing Development.	Existing borrow pit (BP3) footprint proposed to be expanded as part of the Prospective Development.	

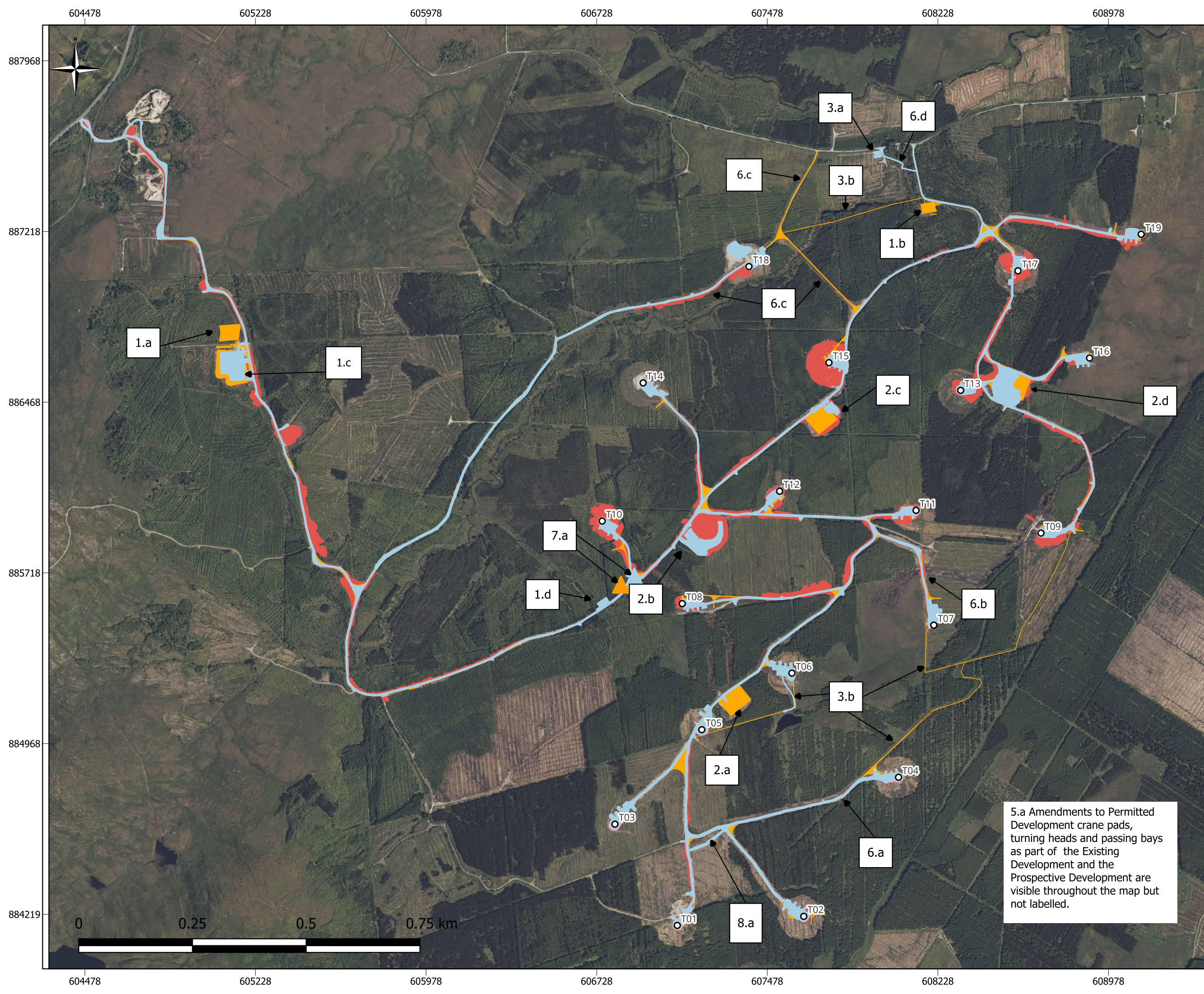
No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
				Overburden stripping does not need temporary management.
Amenity Design (Figure 8-1)				
3.a	Permitted Development Amenity Area to be established in location of Permitted Development Wind Farm Temporary Construction Compound following the end of the construction phase.	Wind Farm Temporary Construction Compound not established in this location, thus Amenity Area not constructed as part of Existing Development.	New proposed Amenity Area comprising car park, picnic area, play area location moved approximately 250m northwest relative to Permitted Development Amenity Area. Road and junction upgrade works at existing forestry entrance off L-6554 Local Road to allow access to Prospective Development Amenity Area only.	Environmental Utilisation of existing infrastructure to minimise potential impact on existing habitat. Reduction of Coillte identified risk in relation to Health and Safety concerns.
3.b	Amenity walkway footbridge, connecting the access track northeast of T18 to the Permitted Development Temporary Construction Compound/Amenity Area and additional amenity trails located outside the footprint of the Permitted Development.	No amenity walkway footbridge or trails constructed as part of Existing Development.	The additional amenity trails located outside the Wind Farm Site access tracks proposed as part of the Permitted Development extending from T06 to T05 and connecting T04, T07 and T09, are no longer proposed as part of the Prospective Development. Amenity walkways and trails are located within the Prospective Development footprint insofar as possible. New shorter footbridge connecting the proposed Amenity Area to the secondary Wind Farm Site entrance is proposed, along with a new shorter boardwalk	Environmental Updated to minimise potential impact on existing habitats by utilisation and upgrading of Existing Development infrastructure. Removal of Permitted Development amenity walkways has removed the requirement for tracking of machinery across intact peatland. The proposed Prospective Development amenity walkway avoids interaction with areas of deep peat.

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
			proposed from T06 to a viewpoint of Carrickaduff Lough	
BMEP Area (Figure 8-2)				
4.a	Hen Harrier enhancement areas proposed as part of the Permitted Development located to the north of the Wind Farm Site.	No enhancement areas constructed as part of Existing Development.	Not proposed as part of the Prospective Development.	Environmental Areas are included within the RLB of development and are integral to the overall development. Permitted Development BMEP areas are now established mature forestry Larger, more continuous blocks of forestry within a suitable distance from the Meenbog Wind Farm that provide a more favourable foraging area for Hen Harrier. Engineering The topography of the proposed BMEP Site parcels are suitable for clearing and suitable for land use management.
4.b	Not consented under Permitted Development.	Not constructed as part of Existing Development.	2 no. forestry parcels to be felled with total area of 108 hectares located to east of the Wind Farm Site are proposed as part of Prospective Development. An area of peatland enhancement is also proposed within the Parcel 1 (eastern forestry parcel). These areas were not proposed as part of the Permitted Development.	
Wind Farm Site Infrastructure (Figure 8-1)				
5.a	Not consented under Permitted Development.	Not constructed as part of Existing Development.	Amendment to Crane pads, Turning Head, Passing Bays.	Engineering Amendment to Permitted Development crane pads, hardstands turning heads, road junctions and passing bays are included to future proof the Prospective Development for alternative crane type.

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
Road Upgrades (Figure 8-1)				
6.a	Permitted Development road to T04 proposed as a floating road.	The approach to T04 was slightly amended to provide a more effective alignment for delivery vehicles based on detailed design of road alignment pre-construction as part of the Existing Development.	Floating Road to be excavated to solid, with same alignment as Existing Development internal road as part of Prospective Development.	Engineering T04 road upgrade to increase stabilisation of Existing Development road as recommended by Geotechnical designer as a peat stability safety measure.
6.b	Permitted Development road to T07 proposed as a floating road.	Approximately 450m of the Permitted Development floating road to T07 was constructed as part of the Existing Development. Barrage wall constructed in remainder of footprint of road to T07 in response to November 2020 Peat Slide.	T07 floating road section and barrage wall proposed to be upgraded to solid founded road as part of the Prospective Development.	Engineering T07 road upgrade to increase stabilisation of permitted road as recommended by Geotech designer as a peat stability safety measure.
6.c	The upgrade of the access road to the north of T18 from the L-6554 Local Road and the internal direct access road connecting T18 and T19 access track are no longer proposed as part of the Prospective Development.	Not constructed as part of Existing Development.	Not proposed as part of the Prospective Development. Access to T18 from T18 Access Road in northwest of Wind Farm Site only.	Environmental Reduction in impact on existing habitat and watercourses. Utilisation of existing infrastructure Reduction in overall development footprint. Engineering Bespoke solution developed that removed the engineering requirement for an electrical cable connection via the proposed road connection to T18 and therefore removed the requirement for the construction of the road.

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
6.d	Minor upgrades to provide secondary access to the to the Permitted Development Wind Farm Temporary Construction Compound, post construction to then provide access to the amenity area from the local road to the north of the site.	Minor upgrade of existing access road as part of Existing Development to provide secondary access to the Wind Farm Site.	Minor works and upgrades along Existing Development road proposed as part of the Prospective Development. Separate access to Amenity Area proposed as part of Prospective Development.	Environmental Utilisation of existing infrastructure Reduction in overall Subject Development footprint resulting from shorter section of access road and less road upgrades required Reduced interaction with existing watercourses.
Met Mast (Figure 8-1)				
7.a	Permitted Met Mast located to the south of T10, west of T10 access track.	No Met Mast constructed as part of Existing Development.	Relocation of Prospective Development Met Mast location to east of T10 access track to an existing cleared area.	Environmental Reduction in habitat impact by moving onto existing cleared and hardcore area. Engineering No vegetative clearance required therefore a shorter construction period Mast in location that can function as a relay for telecoms signal (T8) which is likely to be decommissioned, but currently still active.
Peat Stabilisation Berm (Figure 8-1)				
8.a	Not part of Permitted Development.	Not constructed as part of Existing Development.	Peat stabilization berm to be constructed in parallel to the south of an existing access road to T4 as recommended in the Peat Stability Risk Assessment report.	Engineering Proposed peat stabilisation berm in order to provide further stabilisation to existing floating roads as recommended by Geotech designer as a peat stability safety measure.

No.	Permitted Development	Existing Development	Prospective Development	Environmental/Engineering Justification
Update to Planning Application Boundary (Figure 8-3)				
9.a	Permitted Development Planning Application Boundary 894.4ha.	Not applicable to Existing Development.	Prospective Development Planning Application Boundary Area 1,018ha.	Environmental Works occurred outside Permitted Development RLB that were relevant to the Subject Development, therefore RLB has been amended. Identified cable route & associated infrastructure consented by ACP (formally ABP) as part of the Permitted Development (ACP PI. Ref. ABP-300460-17) and therefore RLB amended. Inclusion of updated BMEP Site within RLB to align with current best practice of ensuring such measures are within jurisdiction of planning application.



Map Legend

- Existing Development Footprint
- Permitted Development
- Prospective Development

Spatial Reference
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Datum: IRENET95
Projection: Transverse Mercator

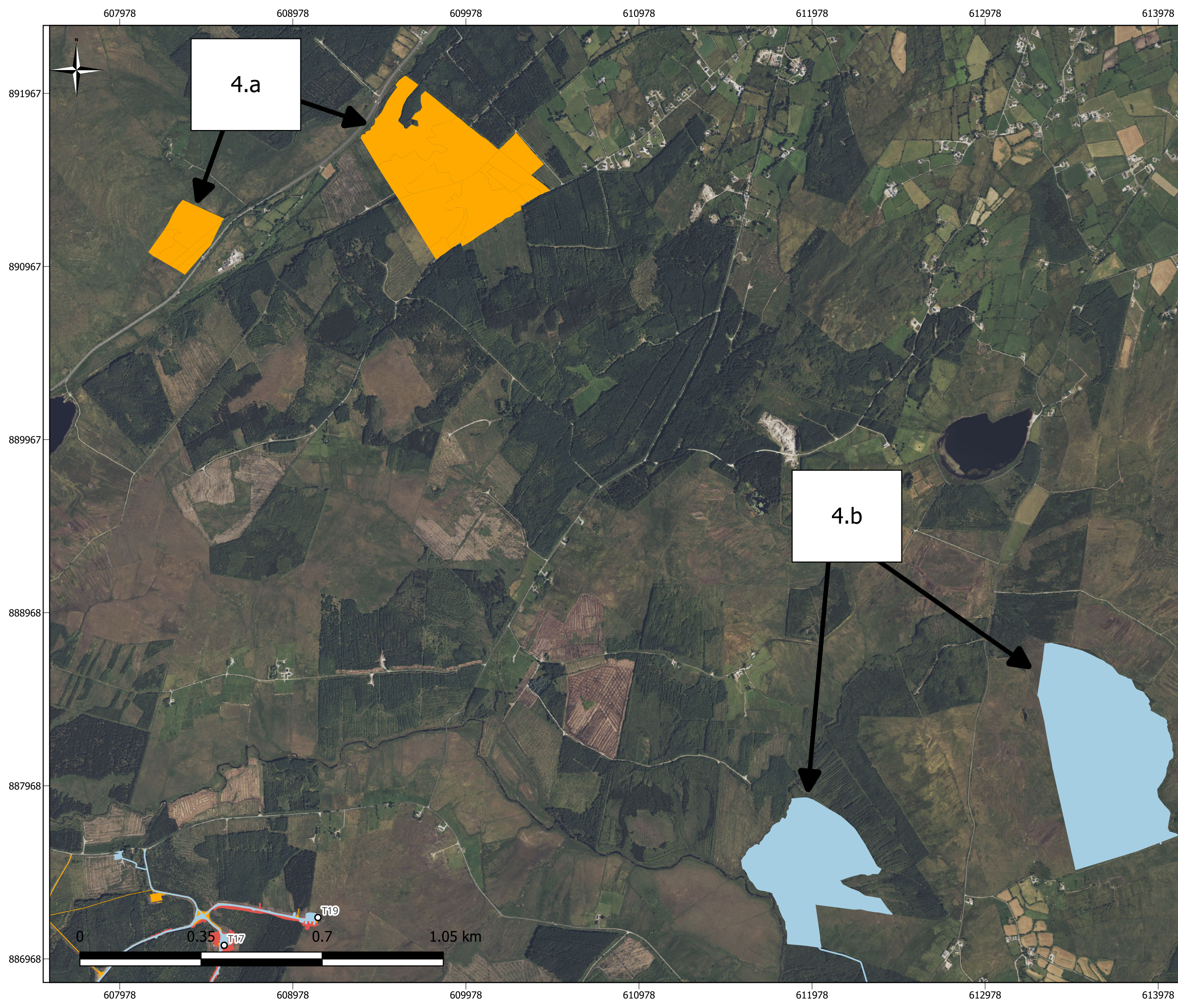
SITE LOCATION - NOT TO SCALE

Wind farm Site		
Project Title Meenbog Wind Farm, Co. Donegal		
Project No. 240505	Drawing No. 8-1	Scale 1:15,000
Drawn by SOR	Checked by RK	Date 30/06/2026

5.a Amendments to Permitted Development crane pads, turning heads and passing bays as part of the Existing Development and the Prospective Development are visible throughout the map but not labelled.

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Map Legend

- Existing Development Footprint
- Permitted Development
- Prospective Development

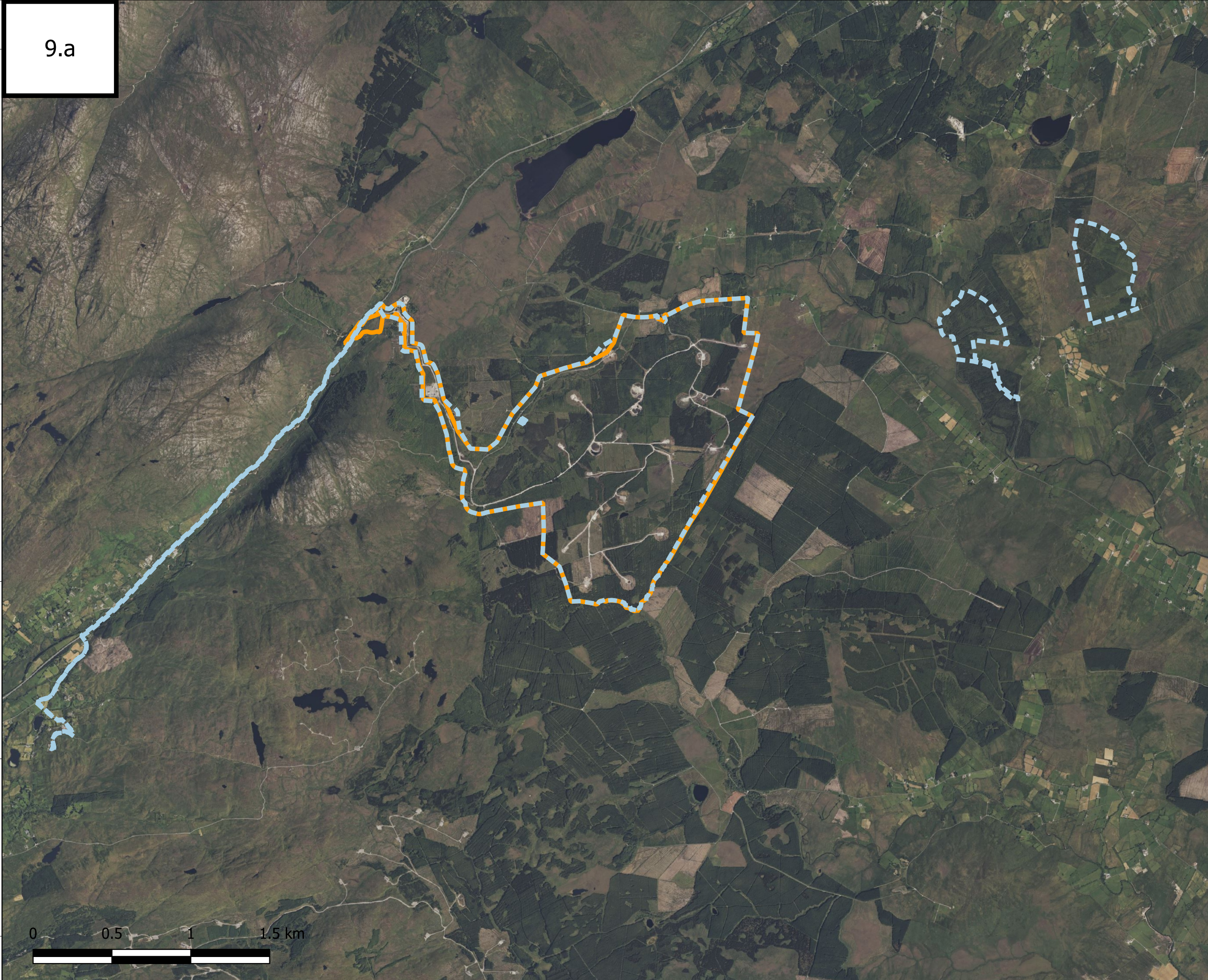
Spatial Reference
Name: IRENET95 Irish Transverse Mercator
Datum: IRENET95
Projection: Transverse Mercator

SITE LOCATION - NOT TO SCALE

Drawing Title

BMEP Areas		
Project Title		
Meenbog Wind Farm, Co. Donegal		
Project No.	Drawing No.	Scale
240505	8-2	1:20,000
Drawn by	Checked by	Date
SOR	RK	30/06/2026

Email: info@mkofireland.ie/ Website: www.mkofireland.ie



9.a

Map Legend

- Prospective Planning Application Boundary
- Permitted Planning Application Boundary

Spatial Reference
Name: IRENET95 Irish Transverse Mercator
Datum: IRENET95
Projection: Transverse Mercator

SITE LOCATION - NOT TO SCALE

Planning Boundaries

Project Title Meenbog Wind Farm, Co. Donegal		
Project No. 240505	Drawing No. 8-3	Scale 1:45,000
Drawn by SOR	Checked by RK	Date 30/06/2026

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JUSTIFICATION OF EXCEPTIONAL CIRCUMSTANCES

Section 177K(1A) of the Act states that ‘the Board shall not grant substitute consent (whether subject to conditions or not) unless it is satisfied that exceptional circumstances exist that would justify the grant of such consent by the Board.’ It is noted under Section 177K(1J) of the Act, which has subsequently been amended, lists the applicable Exceptional Circumstances, and includes the following:

“(a) whether regularisation of the development concerned would circumvent the purpose and objectives of the Environmental Impact Assessment Directive or the Habitats Directive;

(b) whether the applicant had or could reasonably have had a belief that the development was not unauthorised;

(c) whether the ability to carry out an assessment of the environmental impacts of the development for the purpose of an environmental impact assessment or an appropriate assessment and to provide for public participation in such an assessment has been substantially impaired;

(d) the actual or likely significant effects on the environment or adverse effects on the integrity of a European site resulting from the carrying out or continuation of the development;

(e) the extent to which significant effects on the environment or adverse effects on the integrity of a European site can be remediated;

(f) whether the applicant has complied with previous planning permissions granted or has previously carried out an unauthorised development;

(g) such other matters as the Board considers relevant.”

Before the repealing of Section 177C of the Act, a grant of permission for Leave to Apply was granted to Planree Limited on the 13th October 2023 for a Substitute Consent application for alterations to the permitted Meenbog Windfarm (ABP Ref: 314062-22). A detailed justification was included in the application for leave to apply for substitute consent for the Existing Development in respect of the exceptional circumstances as required under the now repealed provisions of Section 177D(2) of the Act.

Since the lodgement and subsequent grant of permission for Leave to Apply application, legislative amendments have come into effect which have repealed the requirement for a separate ‘leave to apply’ stage under Section 177C of the Act.

(a) Whether the regularisation of the development concerned would circumvent the purpose and objectives of the EIA Directive or the Habitats Directive.

The regularisation of the Existing Development would not circumvent the purpose and objectives of the EIA Directive or the Habitats Directive.

An EIA and AA was undertaken for the Permitted Development, supported by the EIAR and NIS that accompanied the planning permission application submitted to the Board, which was subject to public consultation. The development as constructed to-date, is consistent in terms of the nature, scale, and extent of potential impacts on the environment as assessed for the Permitted Development, in the EIA and AA as undertaken by the Board.

The rEIAR and rNIS accompanying this planning application for substitute consent for the Existing Development, which consists of the works carried out to date, supersedes the ER previously submitted to DCC.

The rEIAR concludes that the Existing Development has not resulted in, either individually, cumulatively or in-combination, any significant negative environmental effects. The rNIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, have not and will not adversely affect the integrity of any European Site”*.

The purpose and objectives of the EIA Directive and Habitats Directives will be fulfilled by this application for substitute consent, and will not, and have not been circumvented. This includes the requirement for public participation in the EIA and AA processes, opportunities for which will be available to any person or body following lodgement of this substitute consent application.

(b) Whether the applicant had or could reasonably have had a belief that the development was not unauthorised.

This element of the test has two options for compliance, as follows: 1) whether the applicant actually had a belief that the development was not unauthorised; or 2) the applicant could reasonably have had a belief that the development was not unauthorised. In this instance, the applicant had a belief that the development was not unauthorised. This is uncontroverted. It is also submitted that it is reasonable to consider that the applicant had a belief that the development was not unauthorised.

As is common in large scale wind energy developments and other strategic infrastructure projects of this nature and scale, alterations from the original plans and particulars that were submitted, can occur.

At the time, the Applicant considered that the identified deviations as described in Appendix 5 of this report did not represent significant modifications to what was originally permitted. Each of the identified deviations emerged in response to on-site conditions and was designer led to ensure environmental impacts were minimised. The project was being delivered with the assistance of experienced professional advisors and contractors and the alterations were undertaken for bona fide design, engineering and environmental reasons in response to conditions encountered during construction.

The scale and extent of changes relative to the scale and extent of the Permitted Development are considered to be a key consideration when making a determination under Section 177K(1J)(b) as is the basis on which these changes were made. As outlined in Appendix 5 above, it was considered by the applicant at the time that the identified deviations were not material relative to the scale of the Permitted Development as a whole and were undertaken based on the conditions encountered on the site at construction stage and the practical requirements of delivering the project.

Furthermore, when the planning status of the development was subsequently challenged, the Applicant continued to maintain that the identified deviations should not result in the entire development being treated as unauthorised and defended that position through the High Court and Court of Appeal proceedings. While the Courts ultimately reached a different conclusion, the fact that the Applicant consistently maintained that position is inconsistent with any suggestion that it knowingly undertook unauthorised development or considered at the relevant time that the works required separate planning approval. The Applicant accepts the findings of the Courts and regrets that this situation arose. The purpose of the present application is to regularise the planning status of the Existing Development through the substitute consent process.

Again, it is important to note that the question at issue here is not whether the deviations were material or not, that point is moot, retention permission is now sought, but whether the applicant believed the deviations were not unauthorised. Based on the nature of the deviations, and the reasons why they were carried out, in MKO's opinion, it is reasonable to conclude that the

applicant held a reasonable belief the alterations of the design, which responded to the conditions encountered on the site at construction stage were not unauthorised.

(c) Whether the ability to carry out an assessment of the environmental impacts of the development for the purpose of an EIA or AA and to provide for public participation in such assessment has been substantially impaired.

The ability to carry out an assessment of the environmental impacts of the development for the purpose of an EIA or AA and to provide for public participation in such assessment has not been substantially impaired, nor impaired to any degree.

This planning application is accompanied by a rEIAR and rNIS which assesses the Existing Development, and which consists of the works carried out to date. The rEIAR concludes that the Existing Development has not resulted in, either individually, cumulatively or in-combination, any significant negative environmental effects. The rNIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, have not and will not adversely affect the integrity of any European Site”*.

This planning application is also accompanied by an EIAR and NIS which assess the Prospective Development which consists of all works necessary to complete construction, operate the Site, and ultimately decommission the wind farm. The EIAR concludes that the Prospective Development will not result in, either individually, cumulatively or in-combination, any significant negative environmental effects. The NIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site”*.

A scoping letter, providing details of the Subject Development, was prepared by MKO and circulated in September 2025. The Scoping Consultee List for the Permitted Development informed the scoping for the Subject Development. The scoping letter provided details of the Subject Development and set out the scope of work for the EIAR and rEIAR. Consultees were invited to contribute to the EIAR & rEIAR by suggesting baseline data, survey techniques and potential impacts that should be considered as part of the assessment process and in the preparation of the EIAR & rEIAR. The scoping responses from relevant personnel/bodies are included as Appendix 2-2 of the EIAR & rEIAR.

Additionally, a project information website about this Substitute Consent Application was developed, and a notice was published in the Donegal Democrat Newspaper in October 2025 to inform the public about this application and provided the website address along with the Community Liaison Officer contact details. In November 2025, letters were sent to residents living near the windfarm and along the rid connection underground cabling route to notify them about the Public Information Exhibition (PIE) about this planning application, which was held in Jacksons Hotel, Ballybofey, Co, Donegal on the 3rd of December 2025. All information made available at the PIE was made available for public viewing on the project website.

Section 177H of the Act, provides for any person, or a planning authority, making submissions or observations to the Board in relation to an application for substitute consent, including any EIA, AA, rEIAR and rNIS. Any such submissions must be taken into account by the Board, as the competent authority responsible for the preparation of the EIA, AA, remedial EIA and remedial AA, thereby ensuring that public participation in such assessment has not been impaired.

(d) The actual or likely significant effects on the environment or adverse effects on the integrity of a European Site resulting from the carrying out or continuation of the development.

The Permitted Development has been previously assessed for the purposes of EIA and AA and was not deemed likely to have significant effects on the environment or adverse effects on the integrity of a European Site. The works remaining to be completed on the 19-turbine permitted wind development,

are fully permitted, and with 90% of the groundworks already completed, the remaining works mainly comprise of turbine installation and some final preparatory works required prior to the delivery of turbine components to-site.

This planning application is accompanied by a rEIAR and rNIS which assesses the Existing Development which consists of the works carried out to date. The rEIAR concludes that the Existing Development has not resulted in, either individually, cumulatively or in-combination, any significant negative environmental effects. The rNIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, have not and will not adversely affect the integrity of any European Site”*.

This planning application is also accompanied by an EIAR and NIS which assess the Prospective Development which consists of all works necessary to complete construction, operate the Site, and ultimately decommission the wind farm. The EIAR concludes that the Prospective Development will not result in, either individually, cumulatively or in-combination, any significant negative environmental effects. The NIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site”*.

(e) The extent to which significant effects on the environment or adverse effects on the integrity of a European site can be remediated.

This planning application is accompanied with a rEIAR and rNIS which assesses the Existing Development which consists of the works carried out to date. The rEIAR concludes that the Existing Development has not resulted in, either individually, cumulatively or in-combination, any significant negative environmental effects. The rNIS concludes *“it can be objectively concluded that the Subject Development individually or in combination with other plans or projects, have not and will not adversely affect the integrity of any European Site”*.

No significant effects on the environment or adverse effects on the integrity of any European site have resulted from the Existing Development, and therefore none require remediation.

(f) Whether the applicant has complied with previous planning permissions granted or has previously carried out an unauthorised development.

The Applicant, with the exception of the 25 no. deviations to the Permitted Development, has implemented the permitted wind farm development as constructed to-date, in accordance with the planning permission granted. As a strategic infrastructure development, the Meenbog Wind Farm is a project of significant scale, consisting of 19 wind turbines with a total generating capacity of over 90MW, over 22km of roads (upgraded or new), and a 110kV electricity transmission substation.

The Applicant in this case, has complied with all pre-commencement, condition compliance obligations with DCC, and responded promptly and comprehensively to any queries or correspondence received from DCC (and any other agencies) since the commencement of construction on the Meenbog Wind Farm. The Applicant has been commended by officials of DCC by way of written correspondence dated January 2024, on the professional manner with which it managed the aftermath of the peat slide incident... *“I think overall both MKO and Planree have managed the aftermath of this unfortunate incident in a very professional manner and appear to have achieved the best possible environmental outcomes in the circumstances.”*

With the exception of the 25 no. deviations to the Permitted Development, the applicant has otherwise complied with the planning permission granted by An Coimisiún Pleanála, in so far as the Permitted Development has been completed to-date.

Conclusion of Justification of Exceptional Circumstances

Having regard to the matters set out at paragraphs (a) to (f) above, it is submitted that the statutory tests applicable to an application for substitute consent are fully satisfied in this case. The regularisation of the Existing Development does not, and would not, circumvent the purpose or objectives of the EIA Directive or the Habitats Directive. A comprehensive rEIAR and rNIS and an EIAR and NIS have been undertaken in respect of both the Existing Development and the Prospective Development, and full provision is made for public participation in accordance with the requirements of the Act.

The applicant believed that the alterations were not unauthorised as set out above. Additionally, based on the nature of the deviations in the context of the Permitted Development, in MKO's opinion, it is entirely reasonable to conclude that the applicant held a reasonable belief that the alterations were not unauthorised.

The ability to carry out a full and robust assessment of the environmental impacts of the development for the purposes of EIA and AA has not been impaired. On the contrary, the assessments undertaken provide a comprehensive and transparent evaluation of both completed and remaining works, and confirm that no significant adverse environmental effects have arisen or are likely to arise, either individually or in combination, and that there will be no adverse effects on the integrity of any European Site.

The Applicant has otherwise demonstrated a strong record of compliance with the planning permission granted, has acted in good faith throughout the construction process, and has engaged proactively and transparently with DCC and other relevant stakeholders to address and regularise the planning status of the Meenbog Wind Farm.

In these circumstances, and having regard to all relevant considerations, it is submitted that this planning application passes the Justification of Exceptional Circumstances test as set out in Section 177K(1J) of the Act.

10. **PLANNING ASSESSMENT**

10.1 **Principle of Development**

The principle of development is considered to be established at the Site through the Permitted Development. The principle of development is also considered to be established in so far as the Subject Development is supported by European, national, regional and local policies and guidelines. The Subject Development is in accordance with and has the support of European, national, regional and local policies pertaining to achieving the transition to a carbon neutral economy and climate resiliency, increasing renewable energy generation, and enhancing energy security.

10.1.1 **Policy Context**

At a European level, the REPowerEU Plan calls for the accelerated deployment of renewable energy to mitigate the impact of the energy crisis, eliminate the EU's dependency on imported Russian gas and provide energy security to Member States such as Ireland. The Renewable Energy Directives commits Ireland to a target of at least 42.5% renewable energy by 2030.

At a national level, CAP25 affirms the ambitious targets for renewable electricity share of 80% by 2030, which is to be achieved, in part, by the deployment of a targeted 9GW of onshore wind by 2030. Under Section 15 of the Climate Act, public bodies are obliged to, in so far as practical, perform their functions in a manner consistent with the latest Climate Action Plan, the National Energy & Climate Plan 2021 – 2030, and other national climate mitigation and adaptation plans. An Coimisiún Pleanála, as the Competent Authority, must comply with this obligation in determining this planning application.

At a regional level, the Northern & Western Regional Assembly Regional Spatial & Economic Strategy 2020-2032 (NWRA RSES) is supportive of the future growth of renewable energy technology (e.g. the Subject Development) in the region and notes that there is significant potential to use renewable energy across the region to achieve climate change emission reduction targets.

At a local level, the Subject Development is in line with the DCDP, as it recognises the importance of tackling climate change through the increased supply of renewable energy. In particular, the Subject Development adheres to policy objective WE-P-1A as discussed in Section 7.1.1 and Table 7-2 above.

10.1.2 **Obligations of Consenting Authorities under the Climate Act**

In relation to the Climate Act, Consenting Authorities must meaningfully engage with national climate objectives when exercising their functions, including decision making and must also demonstrate how those functions have been carried out in a manner consistent with, in so far as practicable, national climate objectives.

Taking these legal duties into account, the Commission is required to attribute significant weight to national climate policy and the delivery of renewable energy infrastructure, such as the Subject Development, even where they materially contravene a statutory development plan, particularly when that plan is out of step with national policy.

At present, there are no mandatory legal requirements that preclude the Commission from granting permission for the Proposed Project.

Having regard to these matters, it is considered that the Commission can exercise its planning judgement to determine the application in a manner which is consistent with the achievement of national and EU policy goals, in accordance with its statutory duty under Section 15 of the Climate Act.

10.1.3 Conclusion

In summary, the Subject Development is a type of development which is specifically required to aid the State to meet our binding climate targets and obligations at a National and International level. It is demonstrably supported at all levels of planning policy.

The Subject Development provides the opportunity to realise the valuable renewable energy resource. If the Subject Development were not to proceed the opportunity to capture this additional part of Co. Donegal's valuable renewable energy resource would be lost, as would the opportunity to contribute to meeting Government and EU targets for the production and consumption of electricity from renewable resources and the reduction of greenhouse gas emissions.

In this regard, and subject to compliance with all relevant environmental and ecological considerations as set out in the rEIAR, EIAR, rNIA and NIS, the principle of development of the Subject Development is considered to be wholly acceptable and appropriate at this location

10.2 Key Environmental Considerations

Table 10-1 provides a summary of the potential Subject Development effects under these key material environmental considerations and identified the relevant chapters of the rEIAR and EIAR where they are specifically addressed.

Table 10--1: Relevant chapters of the EIAR referring to key material considerations

Consideration		Subject Development Summary	Relevant rEIAR & EIAR Chapter
Population	Population Levels	The effects on population levels from both the Prospective Development and Existing Development are considered to be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant. Based on the above, the potential for effects arising from the Subject Development is the same as that arising from the Prospective Development. Therefore, the effects on population levels from the Subject Development are Not Significant.	Chapter 5 Population & Human Health
	Employment & Investment	The effects on Employment and Investment from both the Prospective Development and Existing Development are considered to be Not Significant. There is potential for an in cumulation effect on employment and investment arising from the Subject Development. The potential for effects arising from the Subject Development is an In-cumulation effect of both the Existing and the Prospective Development. Therefore, based on the assessments, effects on Employment and Investment from the Subject Development are slight, long term, positive and is considered to be Not Significant.	Chapter 5 Population & Human Health
	Land Use Patterns & Activities	The effect on land use/activities due to both the Prospective Development and Existing Development infrastructure is Not Significant. There is potential for an In-Cumulation effect on Land Use Patterns and Activities from the combination of the Existing and Prospective Developments. The most significant residual effect arises from the In-Cumulation effect of the Existing Development and the Construction Phase of	Chapter 5 Population & Human Health

		the Prospective Development. On this basis the residual effect of the Subject Development on the Land Use Patterns and Activities is permanent, not significant and negative. The effect of the Subject Development on Land Use Patterns and Activities is Not Significant.	
	Property Values	The effect on property values due to both the Prospective Development and Existing Development is Not Significant. There is potential for an In-Cumulation effect on Property Values from the combination of the Existing and Prospective Developments. Based on the residual effects arising from both the Existing and Prospective Developments, the Subject Development residual effect is considered to be long term, imperceptible and negative. The effect on property values due to the Subject Development is Not Significant.	Chapter 5 Population & Human Health
	Tourism	The effect on tourism in the wider landscape due to both the Prospective Development and the Existing Development will be Not Significant. There is potential for an In-Cumulation effect on Tourism from the combination of the Existing and Prospective Developments. Both the Existing Development and the Prospective Development have no residual effects. On that basis the Subject development will have no residual effects on Tourism. The Subject Development effect on Tourism is Not Significant.	Chapter 5 Population & Human Health
	Residential Amenity	The effect on residential amenity as a result of both the Prospective Development or the Existing Development is Not Significant. There is potential for an In-Cumulation effect on Residential Amenity from the combination of the Existing and Prospective Developments.	Chapter 5 Population & Human Health

		Based on the residual effect arising from both the Existing Development and the Prospective Development, the residual effect of the Subject Development is long term, slight and negative. The Subject Development effect on Residential Amenity is Not Significant.	
Human Health	Health & Safety	Effects on health and safety due to both the Prospective Development and the Existing Development are considered to be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an In-Cumulation effect. The potential for a residual effect on Health and Safety from the Subject Development is the same as the potential effect from the Prospective Development. Therefore, based on the residual effect arising during both the construction and operational phases, the residual effect of the Subject Development on Health and Safety is long term, imperceptible and negative. The effect of the Subject Development on Health and Safety is considered to be Not Significant.	Chapter 5 Population & Human Health
	Air Quality: Dust & Exhaust Emissions	The effects on Air Quality from both the Prospective Development and the Existing Development will be Not Significant. There is no temporal overlap between emissions arising during the Prospective Development and the Existing Development and therefore no potential for an In-Cumulation effect. As there is no In-Cumulation effect the residual effects arising from the Subject Development are considered to be the same as the residual effects of the Prospective development, namely, long term moderate and positive. Effects on Air Quality due to the Subject Development are considered to be Not Significant.	Chapter 5 Population & Human Health
	Water Quality	The effects on water quality from both the Prospective Development and the Existing Development will be Not Significant.	Chapter 5 Population & Human Health

		As the residual effects that arose during the Existing Development were temporary, there is no potential for an In-Cumulation effect arising from the combination of the Existing and Prospective Developments. On that basis the residual effect of the Subject Development is the same as the residual effect of the Prospective Development, namely short term, imperceptible and negative. Effects on Water Quality due to the Subject Development are considered to be Not Significant..	
	Noise & Vibration	The effects on human health due to noise emissions from both the Prospective Development and the Existing Development will be Not Significant. As the residual effects that arose during the Existing Development were temporary, there is no potential for an In-Cumulation effect arising from the combination of the Existing and Prospective Developments. On that basis the residual effect of the Subject Development is the same as the residual effect of the Prospective Development, namely long term, not significant and negative. The effects on human health due to noise emissions from the Subject Development will be Not Significant.	Chapter 5 Population & Human Health
	Traffic & Transport	The effects on traffic from both the Prospective Development and the Existing Development will be Not Significant. There is no temporal overlap between traffic levels arising during the Prospective Development and the Existing Development and therefore no potential for an In-Cumulation effect. On that basis the residual effect of the Subject Development is the same as the residual effect of the Prospective Development, namely long term, imperceptible and negative. The effects on traffic from the Subject Development are considered to be Not Significant.	Chapter 5 Population & Human Health

	Major Accidents & Natural Disasters	The effects on Human Health due to Major Accidents and Disasters arising from both the Prospective Development and the Existing Development will be Not Significant. There were no residual effects on human health from the Existing Development and therefore no potential of an In-Cumulation effect between the Existing Development and the Subject Development. On that basis the residual effect of the Subject Development is the same as the potential residual effect of the Prospective Development, and there is therefore no potential residual effect. The effects to/from Major Accidents and Natural Disasters arising from the Subject Development are Not Significant.	Chapter 5 Population & Human Health
	Shadow Flicker	The effects on human health due to Shadow Flicker from both the Prospective Development and the Existing Development will be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and also no potential for shadow flicker from the existing Development so therefore no potential for an In-Cumulation effect. The potential for a residual effect from Shadow Flicker arising from the Subject Development is the same as the potential effect from the Prospective Development. Therefore, based on the residual effect arising during both the construction and operational phases, the residual effect of the Subject Development on Health and Safety is long term, imperceptible and negative. The effects related to shadow flicker from the Subject Development will be Not Significant.	Chapter 5 Population & Human Health
Biodiversity	European Designated Sites	Considering the In-cumulation effect of the Existing and Prospective Developments there is no potential for the Subject development to have an adverse effect on these European Sites. As such, there is no potential for adverse in cumulation effects on these Designated Sites to occur.	Chapter 6 Biodiversity

	Nationally Designated Sites	Considering the In-cumulation effect of the Existing and Prospective Developments there is no potential for the Subject development to have an adverse effect on these Nationally Designated Sites. As such, there is no potential for adverse in cumulation effects on these Designated Sites to occur.	Chapter 6 Biodiversity
	Peatland Habitats	Considering the In-cumulation effect of the Existing and Prospective Developments there is no potential for the Subject Development to have a significant effect on the aquatic habitats and associated species. As such, there is no potential for adverse in cumulation effects on these peatland habitats to occur.	Chapter 6 Biodiversity
	Aquatic Habitats & Associated Species	There is no potential for adverse in cumulation effects on these aquatic habitats and species to occur. As such, there is no potential for adverse in cumulation effects on these aquatic habitats and species to occur.	Chapter 6 Biodiversity
	Invasive Species	Considering the In-cumulation effect of the Existing and Prospective Developments there is no potential for the Subject Development to have a significant effect on invasive species. There is no potential for adverse in cumulation effects as a result of the spread of invasive species to occur.	Chapter 6 Biodiversity

Ornithology		No significant residual effects on ornithological receptors were identified as a result of the Prospective Development or the Existing Development on its own. The potential for significant effects on the identified KORs associated with the Prospective Development to occur when considered in cumulation with the Existing Development were considered. No additional KORs were identified as a result of this in-cumulation assessment. The NIS concluded that the Prospective Development will not have an adverse impact on any SPAs. The Existing Development also did not have an adverse impact on any SPAs. As such, there is no potential for adverse in-cumulation effects on SPAs to occur as a result of the Subject Development. No significant residual effects on KOR were identified as a result of the Prospective Development on its own after mitigation/enhancement. Also, no significant residual effects on KORs were identified as a result of the Existing Development on its own. As such, there is no potential for adverse in-cumulation effects to occur.	Chapter 7 Ornithology
Land, Soils and Geology	Land (Land-Take)	The effects on land (land-take) from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects on land from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Excavation of Peat/Soils/Subsoils	The effects on peat/soils/subsoils from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects on peat/soils/subsoils from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology

	Contamination due to Hydrocarbons	The effects on peat/soils/subsoils and bedrock from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects of hydrocarbon contamination from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Contamination due to Wastewater	The effects on peat/soils/subsoils and bedrock from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects of wastewater contamination from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Erosion of Peat/Soils/Subsoils During Construction	The effects on peat/soils/subsoils from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects of erosion during construction from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Erosion of Peat/Soils/Subsoils During Felling Works	The effects on peat/soils/subsoils from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects of erosion during felling from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Peat Instability	The effects on peat/soils/subsoils from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects of peat instability from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology

	Effects on Geological Heritage Sites	The effects on geological heritage sites from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects on geological heritage from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
	Excavation and Reinstatement of Borrow Pits	The effects on peat/soils/subsoils and bedrock from both the Prospective Development and the Existing Development are considered to be not significant. The In-Cumulation effects from excavation and reinstatement of borrow pits from the Subject Development are Imperceptible.	Chapter 8 Land, Soils and Geology
Hydrology & Hydrogeology	Effects from Earthworks	The effects on surface water quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects from Tree Felling	The effects on surface water quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects from Excavation Dewatering	The effects on surface water quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects on Groundwater Levels	The effects on groundwater levels from both the Prospective Development and the Existing Development are considered to be not significant.	Chapter 9 Hydrology & Hydrogeology

		There is no potential for significant In-Cumulation effects from the Subject Development.	
	Effects from Contamination due to Hydrocarbons	The effects on surface water and groundwater quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects from Contamination due to Wastewater	The effects on surface water and groundwater quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects from contamination due to cement-based products	The effects on surface water and groundwater quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects on Watercourse Morphology	The effects on watercourse morphology from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects from the Use of Siltbuster	The effects on surface water quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects on Designated Sites	The effects on downstream designated sites from the Prospective Development will not be significant. The Existing Development resulted in short-term significant effects due to the November 2020 Peat Slide and water quality has since returned to baseline levels. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology

	Effects on Lough Mourne Abstraction	The effects on the Lough Mourne abstraction from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects on Local Private Wells	The effects on local private groundwater wells from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects on WFD Status and Objectives	The effects on WFD status from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects due to Biodiversity Enhancement	The effects on surface water quality from both the Prospective Development is considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects due to Blasting	The effects on groundwater quality from both the Prospective Development and the Existing Development are considered to be not significant. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
	Effects due to November 2020 Peat Slide and Emergency Works	The Existing Development resulted in short-term significant effects due to the November 2020 Peat Slide and water quality has since returned to baseline levels. There is no potential for significant In-Cumulation effects from the Subject Development.	Chapter 9 Hydrology & Hydrogeology
Air Quality	Exhaust Emissions	The effects on air quality relating to exhaust emissions for the Existing Development are Not Significant. The operational phase of the Prospective Development will result in the net	Chapter 10 Air Quality

Climate		displacement of approximately 53,000 tonnes of carbon dioxide equivalent (CO₂e) from fossil fuel sources per annum. As such, this results in an overall significant positive effect on air quality arising from the Subject Development. Notwithstanding, there is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	
	Dust Emissions	The effects on Air Quality related to dust emissions from both the Prospective Development and the Existing Development will be Not Significant. The potential for In-Cumulation effects on Air Quality from the Subject Development is Not Significant.	Chapter 10 Air Quality
	Climate	The Subject Development will give rise to total losses of 284,692 tonnes of carbon dioxide. 53,097 tonnes of carbon dioxide will be displaced per annum from the largely carbon-based traditional energy mix by the Subject Development. Over the proposed 25-year lifetime of the development, therefore 1,327,425 tonnes of carbon dioxide will be displaced from traditional carbon-based electricity generation. The approximately 284,692 tonnes of CO₂ will be lost to the atmosphere due to changes in the soil and ground conditions and due to the construction and operation of the Subject Development represents 21% of the total amount of carbon dioxide emissions that will be offset by the Subject Development. The 284,692 tonnes of CO₂ that will be lost to the atmosphere due to changes in soil and ground conditions and due to the construction and operation of the Subject Development will be offset by the Subject Development in approximately 64 months (5.4 years) of operation. The effects on Climate from both the Prospective Development and Existing Development are considered to be Not Significant	Chapter 11 Climate

Noise and Vibration	Noise Sensitive Locations (Construction Noise)	As the construction noise effects of the Existing Development are no longer present and construction noise effects from the Prospective Development are temporary, there is no potential for in cumulation construction noise effects at NSLs.	Chapter 12 Noise and Vibration
	Noise Sensitive Locations (Operational Noise)	The operational noise contribution from the Existing Development is negligible relative to the noise criteria and does not materially influence cumulative noise levels. Operational noise from the Prospective Development, are within the relevant noise limits at all NSLs, and no significant operational noise effects are anticipated Accordingly, no significant adverse in cumulation operational noise effects are predicted to occur.	Chapter 12 Noise and Vibration
	Construction Related Vibration	As vibration effects associated with the Existing Development no longer occur and predicted vibration levels from the Prospective Development are low and temporary, there is no potential for in cumulation vibration effects.	Chapter 12 Noise and Vibration
	Construction Traffic Noise	Given the temporary nature of construction traffic noise and the absence of overlapping or ongoing traffic effects, no significant in cumulation effects associated with construction traffic noise are anticipated.	Chapter 12 Noise and Vibration
	Human Receptors – Amenity and Health (Noise and Vibration)	Therefore, there is no potential for significant adverse in cumulation effects in respect of human amenity or health arising from noise or vibration.	Chapter 12 Noise and Vibration
Landscape and Visual	Landscape Effects	From an LVIA perspective, the essential elements of the Subject Development will be the proposed turbines and the proposed met mast of the Prospective Development, and the Existing Development is already in place. The residual effects of the Prospective Development on the landscape are not considered significant. The residual landscape effects from the Existing Development are not considered significant.	Chapter 13 Landscape and Visual

		The potential for in-cumulation landscape effects from the Subject Development is not considered significant.	
	Visual Effects	From an LVIA perspective, the essential elements of the Subject Development will be the proposed turbines and the proposed met mast of the Prospective Development, and the Existing Development is already in place. The residual effects of the Prospective Development on visual receptors are not considered significant. The residual visual effects from the Existing Development are not considered significant. The potential for in-cumulation visual effects from the Subject Development is not considered significant.	Chapter 13 Landscape and Visual
Cultural Heritage	Direct Effects	The potential In-Cumulation effects to this aspect of the Cultural Heritage resource from the Subject Development is also considered to be Not Significant.	Chapter 14 Cultural Heritage
	Indirect Effects	The potential In-Cumulation effects to these aspects of the Cultural Heritage resource from the Subject Development is also considered to be Not Significant.	Chapter 14 Cultural Heritage
Material Assets	Traffic	There is no temporal overlap and a significant temporal gap between the traffic generated by the construction of the Existing Development and the construction, operation and decommissioning of the Prospective Development and therefore there is no potential for in-cumulation effects from the Subject Development in terms of traffic and transportation.	Chapter 15 Material Assets
	Aviation	The effects on aviation from both the Prospective Development and Existing Development are considered to be Not Significant. There are no effects on aviation associated with the Existing Development and therefore no potential for an in-cumulation effect. The potential for in-cumulation effects on aviation from the Subject Development is Not Significant. The potential effect of the Subject Development is the same as the Prospective Development and is Not Significant.	Chapter 15 Material Assets

	Telecoms	The effects on telecoms from both the Prospective Development and Existing Development are considered to be Not Significant. There are no effects on telecoms associated with the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects on telecoms from the Subject Development is Not Significant. The effect on Telecoms of the Subject Development is Not Significant	Chapter 15 Material Assets
	Electricity Infrastructure & Supply, Water Infrastructure & Supply, Waste Management Services	The effects on utilities from both the Prospective Development and Existing Development are considered to be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant. The effects on Utilities from the Subject Development is Not Significant	Chapter 15 Material Assets
Major Accidents & Natural Disasters	Critical Infrastructure Emergencies	The risk of critical infrastructure emergencies associated with both the Prospective Development and Existing Development are considered to be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	Chapter 16 Major Accidents & Natural Disasters
	Severe Weather	The risk of severe weather events from both the Prospective Development and Existing Development are considered to be Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	Chapter 16 Major Accidents & Natural Disasters
	Flooding	The risk of flooding associated with both the Existing Development and the Prospective Development are considered to be Not Significant.	Chapter 16 Major Accidents & Natural Disasters

		There is no temporal overlap between the Prospective Development and the Existing Development and accordingly, there is no potential for in-cumulation effects. The potential for cumulative flooding effects from the Subject Development is Not Significant.	
	Traffic Incident	The risk of traffic incident associated with both the Prospective Development and Existing Development are considered as Not Significant. There is no temporal overlap between the Existing Development and the Prospective Development, and no traffic incidents occurred during the Existing Development, therefore, no potential for in-combination effects. Accordingly, the potential for in-combination effects arising from the Subject Development is considered to be Not Significant.	Chapter 16 Major Accidents & Natural Disasters
	Peat Stability	The risk of peat instability for both the Prospective Development and Existing Development are considered as Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development. The nature and scale of the groundworks required to complete the Subject Development are minor. Therefore there is no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	Chapter 16 Major Accidents & Natural Disasters
	Contamination	The risk of contamination associated with both the Prospective Development and Existing Development are considered as Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore the risk of contamination for the Subject Development is the same as the risk arising from the Prospective Development. As such, there is no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	Chapter 16 Major Accidents & Natural Disasters
	Fire/Explosion	The risk of fire/explosion associated with both the Prospective Development and Existing Development are considered as Not Significant.	Chapter 16 Major Accidents & Natural Disasters

		There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant.	
	Collapse/damage to Structures	The risk of collapse/damage to structure associated with both the Prospective Development and Existing Development are considered as Not Significant. There is no temporal overlap between the Prospective Development and the Existing Development and therefore no potential for an in cumulation effect. The potential for In-Cumulation effects from the Subject Development is Not Significant	Chapter 16 Major Accidents & Natural Disasters

CONCLUSION

The provision of wind energy developments such as the Subject Development is strongly supported by European, National, Regional and Local policies and guidelines aimed at achieving the transition to a low carbon and climate resilient economy, increasing renewable energy generation, and enhancing energy security. Specifically, the Subject Development will contribute to achieving the target of generating 9GW of electricity from onshore wind and reducing GHG emissions by 51% by 2030 as set out in the CAP25. The Subject Development aligns with National Strategic Outcomes and Objectives outlined in the National Planning Framework, particularly Objective 55, which seeks to 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.

The Subject Development is considered to be in compliance with Policy Objective WE-P-1A of the DCDP as it relates to a partially constructed windfarm and an extant permitted windfarm development and constitutes an augmentation and improvement of the approved Meenbog Windfarm. The proposed development is generally confined to the established planning unit of the permitted windfarm, with only limited additional lands required to facilitate habitat enhancement measures that are essential to the overall project and environmental mitigation strategy. Furthermore, the Subject Development demonstrates that environmental effects can be adequately addressed, including the delivery of biodiversity net gain through the restoration and enhancement of wet heath habitat. Accordingly, the proposal aligns with the criteria under WE-P-1A and is therefore considered to be “Open to Consideration” under the policy framework.

CAP25 reaffirms the ambitious targets for renewable electricity share of 80% by 2030, which is to be achieved, in part, by the deployment of a targeted 9GW of onshore wind by 2030. To achieve this, greater alignment between local plans and national and regional renewable energy targets is urgently required. If permitted, the Subject Development will add approximately 91.2MW of renewable, clean energy to our national wind energy capacity. The Site hosts a unique opportunity with a fully energised on-site substation ready to deliver this much needed clean electricity to the national grid. This will not only contribute to the decarbonisation of the electricity sector but will play a role in the decarbonisation of other sectors and the transition to a low carbon, climate resilient economy.

The Subject Development will facilitate the successful operation of the Meenbog Wind Farm for its 25-year lifespan. If fully operational today, the Meenbog Wind Farm would be amongst the five largest operating wind farms in Ireland, and would thereby make a significant contribution to increased renewable energy outputs, and consequently towards meeting future renewable energy, climate change and emissions reductions targets.

To combat the effects of climate change, Ireland must decarbonise its economy by 2050. There is no “silver bullet” to do so. It will take hundreds, if not thousands, of individual renewable energy projects to decarbonise the Irish economy. The scale of the challenge we face to decarbonise the Irish economy is enormous, but the climate change implications of not doing so are even greater. There is no other way to decarbonise a modern society except through renewable energy projects such as the Subject Development.

Having regard to the key points set out in this Planning Report, it is respectfully requested that An Coimisiún Pleanála considers the relevant planning context that applies, and grants permission for the Subject Development which is the subject of this planning application.