

James Sweeney

DC

From: communications
Sent: Thursday 25 September 2025 09:51
To: Appeals2
Subject: FW: ABP-322962-25 Substitute Consent - Galway County Council Planning Report
Attachments: ACP 323014 25 GCC Planning Report 25.09.25.pdf; ACP 323018 25 GCC Planning Report 25.09.25.pdf

From: Sinead Burns <sburns@galwaycoco.ie>
Sent: Thursday, September 25, 2025 9:29 AM
To: Daniel O'Connor <danieloconnor@pleanala.ie>
Cc: communications <communications@pleanala.ie>
Subject: FW: ABP-322962-25 Substitute Consent - Galway County Council Planning Report

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Hi Daniel,

Please see attached Galway County Council Planning Reports in relation to two Substitute Consent Applications.

- ABP-323014-25 (GCC Ref. SC 06/25)
- ABP-323018-25 (GCC Ref. SC 07/25)

I would be grateful if you could confirm receipt at your convenience.

Kind regards,

Sinead.

Sinead Burns
Assistant Staff Officer
Planning & Development Unit | Rannóg Pleanála
Galway County Council | Comhairle Chontae na Gaillimhe
Áras an Chontae, Cnoc na Radharc, Gaillimh H91 H6KX

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Comhairle Chontae na Gaillimhe
Galway County Council

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ghabhann leis a léamh, a chóipeáil ná a úsáid. Má tá an ríomhphost seo faighte agat trí dhearmad, cuir an seoltóir ar an eolas trí ríomhphost a sheoladh ar ais agus scrios ansin é le do thoil. Má tá an ríomhphost seo ag teastáil uait i bhformáid eile téigh i dteagmháil leis an duine a sheol chugat é.

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Planning Ref. No.:	SC06/25 (ABP-323014-25)
Description of development:	Application for Substitute Consent pursuant of Section 177E of the Planning and Development Act 2000 (as amended) in relation to the Decommissioning of Derrybrien Wind Farm. The development consists of the proposed retention in situ of existing development associated with the Derrybrien Wind Farm Development (Site 458 Ha) including all at and below ground structures. A remedial Environmental Impact Assessment Report (rEIAR) and a Remedial Natura Impact Statement (rNIS) were submitted with the application
Location:	Bohaboy, Boleynendorrish, Coppanagh, Derrybrien East, Derrybrien North, Derrybrien South, Derrybrien West, Funshadaun, Kilbeg, Loughatorick North, Toormacnevin in Co. Galway & Slieveanore, Co. Clare
Applicant(s) :	Gort Windfarms Limited

In response to the letter received from An Coimisiún Pleanála on the 15th July 2025 the Planning Authority can advise the following as per the requirements set out in Section 177I (2) (a), (b), (c), (d) and (e).

177 (2) (a) information relating to development (including development other than the development which is the subject of the application for consent) carried out on the site where the development the subject of the application for consent is situated, and any application for permission made in relation to the site and the outcome of the application;

The Planning Authority note the relevant planning history pertaining to the subject lands in table 1.



Table 1. Relevant Planning History

Galway County Council/ An Coimisiún Pleanála Planning Reference	Applicant	Location of development	Nature of development permitted by the permission and indication of whether an Environmental Impact Statement (EIS) was submitted as part of the planning application in question
973470	Saorgus Energy Ltd	Derrybrien West & Boleynneendorrish	for a) wind farm of 23 wind turbines; b) service roadways; c) control house; d) anemometer mast - EIS submitted. Permission issued by An Bord Pleanála PL 07.106290
973652	Saorgus Energy Ltd	Derrybrien North	for a. wind farm of 23 wind turbines, b. service roadways, c. a control house, d. anemometer mast at Caheranearl, Derrybrien - EIS submitted. Permission issued by An Bord Pleanála PL 07.106292
992377	Saorgus Energy Ltd	Derrybrien North and East	for the installation of a 110kV electricity transmission line between wind farm at Derrybrien North and 110kV ESB transmission line at Loughatorick North. Permission issued by Galway County Council
004581	Saorgus Energy Ltd	Derrybrien	Development of Derrybrien wind farm consisting of 25 wind turbines, service roadways, transformer compounds and anemometry mast (see newspaper notice) at Toormacnevin, Bohaboy and Derrybrien North. Permission issued by An Bord Pleanála PL 07.122803



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035642	Gort Windfarms Ltd	Boleyneendorrish Derrybrien West	Extension of appropriate period for development of (a) windfarm of 23 wind turbines (b) service roadways (c) control house (d) anemometer mast 97/3470 refers. Permission issued by Galway County Council
035637	Gort Windfarms Ltd	Derrybrien North	Extension of appropriate period for development of a wind farm of 23 wind turbines, b. service roadways, c. a control house, d. anemometer mast - 97/3652 refers. Permission issued by Galway County Council
05317	Gort Windfarm Ltd	Derrybrien North	Extension of appropriate period for development of wind farm of 23 wind turbines. Permission issued by Galway County Council
05316	Gort Windfarms Ltd	Derrybrien West	Extension of appropriate period for development of wind farm of 23 wind turbines. Permission issued by Galway County Council
ABP-308019-20	Gort Windfarms Ltd	Coppanagh, Slieveanore, Loughatorick North, Boleyneendorrish, Kilbeg, Toormacnevin, Funshadaun, Derrybrien North, Derrybrien South, Bohaboy, Derrybrien West, Derrybrien East, Derreenamucka, County Galway	Application for Substitute Consent for Existing Works under S.177E of the Planning and Development Act, 2000 (as amended)

177 (2) (b) information relating to any warning letter, enforcement notice or proceedings relating to offences under this Act that relate to the applicant for substitute consent;

Pursuant to the decision by An Coimisiún Pleanála (formerly An Bord Pleanála), under Reg. Ref. ABP-308019-20, to refuse substitute consent for retention, prolonged operation and decommissioning of all elements of the existing development, the entire development was rendered unauthorised.

Galway County Council issued Enforcement Notices on the 29/08/2024 and 17/06/2025 relating to the unauthorised windfarm.

177 (2) (c) information regarding the relevant provisions of the development plan and any local area plan as they affect the area of the site and the type of development concerned;

The Galway County Development Plan 2022 – 2028 is the relevant development plan pertaining to the subject lands. An Coimisiún Pleanála should have regard to the following, including but not limited to the policy objectives contained within:

- LCM 1 Preservation of Landscape Character
- LCM 2 Landscape Sensitivity Classification
- LCM 3 Landscape Sensitivity Ratings
- LCM 4 Open/Unfenced Landscape
- PVSR 1 – Protected Views and Scenic Routes
- MRE 1 Renewable Energy
- NHB 1 Natural Heritage and Biodiversity of Designated Sites, Habitats and Species
- NHB 2 European Sites and Appropriate Assessment
- NHB 3 Protection of European Sites
- NHB 4 Ecological Appraisal of Biodiversity
- NHB 5 Ecological Connectivity and Corridors
- NHB 7 Mitigation Measures
- NHB 8 Increased Awareness of the County's Biodiversity and Natural Heritage
- CC 1 Climate Change
- CC 2 Transition to a low carbon, climate-resilient society
- CC 4 Local Authority Climate Action Plan
- CC 5 Climate Adaptation and Mitigation
- CC 6 Local Authority Renewable Energy Strategy (LARES)
- CC 7 Climate Action Fund
- CC 8 Climate Action and Development Location
- CC 9 Mainstreaming Climate Change Adaptation
- CC 10 Green Infrastructure
- FL 1 Flood Risk Management Guidelines
- FL 6 Surface Water Drainage and Sustainable Drainage Systems (SuDs)

- FL 7 Protection of Waterbodies and Watercourses
- RE1 Renewable Energy Generation and ancillary facilities
- RE 2 Local Authority Renewable Energy Strategy
- RE 3 Wind Energy Developments
- RE 5 Renewable Energy Strategy

There is no Local Area Plan pertaining to the area of the site.

177 (2) (d) any information that the authority may have concerning—

- (i) **current, anticipated or previous significant effects on the environment, or on a European site associated with the development or the site where the development took place F853[or, where section 177E(2A)(b) applies, is proposed to take place] and, if relevant, the area surrounding or near the development or site, or**
- (ii) **any remedial measures recommended or undertaken;**

The development site is located within a 15km radius of the following Natura 2000 designations:

- Slieve Aughty Mountains SPA (004168)
- Sonnagh Bog SAC (001913)
- Drummin Wood SAC (002181)
- Peterswell Turlough SAC (000318)
- Lough Rea SPA (004134)
- Lough Rea SAC (000304)
- Lough Coy SAC (002117)
- Pollagoona Bog SAC (002126)
- Gortacarnaun Wood SAC (002180)
- Carrowbaun, Newhall and Ballylee Turloughs SAC (002293)
- Lough Cutra SPA (004056)
- Lough Cutra SAC (000299)
- Ballinduff Turlough SAC (002295)
- Pollnaknockaun Wood Natura Reserve SAC (000319)
- Loughatorick South Bog SAC (000308)
- Kiltartan Cave (Coole) SAC (000286)
- Derrycrag Wood Nature Reserve SAC (000261)
- CooleGarryland Complex SAC (000252)
- CooleGarryland SPA (004107)
- Ardahan Grassland SAC (002244)
- Rosturra Wood SAC (001313)
- Cloonmoylan Bog SAC (000248)

- Glendree Bog SAC (001912)
- Barroughter Bog SAC (000231)
- Lough Derg (Shannon) SPA (004058)
- Lough Derg, North-east Shore SAC (002241)

See www.npws.ie for the conservation objectives and qualifying interests of the above listed sites.

Galway County Council note the Remedial Natura Impact Assessment (NIS) prepared by Electricity Supply Board (ESB) submitted as part of the application. As the competent authority for this application, An Coimisiún Pleanála should be satisfied that the proposal has demonstrated that the development can be implemented without adverse effects on the integrity of the European Sites listed above.

The Planning Authority note the Remedial Environmental Impact Assessment Report prepared by MKO submitted as part of the application. As the competent authority to assess the Environmental Impact Assessment in accordance with EIA Directive 2011/92/EU as amended by EIA Directive 2014/52/EU and Part 2 Schedule 5 of the Planning and Development Regulations, 2001 (as amended), An Coimisiún Pleanála should be satisfied that the development would not have a significant negative effect on the receiving environment.

177 (2) (e) the opinion, including reasons therefor, of the chief executive as to—

(i) whether or not substitute consent should be granted for the development, and

(ii) the conditions, if any, that should be attached to any grant of substitute consent.

An Coimisiún Pleanála should have regard to the planning history, and policy objectives and designations contained in the Galway County Development Plan 2022 – 2028 and the proper planning and sustainable development of the receiving environment in determining this application.

Should An Coimisiún Pleanála be minded to grant permission for this proposal the Planning Authority request that the following conditions would be considered.

1. The development shall be retained in accordance with the plans and particulars lodged with the application An Coimisiún Pleanála, except as may otherwise be required in order to comply with the following conditions.

REASON: In the interest of clarity

2. The development hereby permitted is limited to that solely as advertised under the public notices of the planning application.

REASON: In the interest of clarity.

3. The mitigation measures and monitoring commitments identified in the Remedial Environmental Impact Assessment Report and Remedial Natura Impact Statement submitted with the planning application shall be implemented in full by the developer, except as where may otherwise be required in order to comply with the following conditions. The developer shall appoint a person with an appropriate ecological and construction expertise as an environmental manager/ecological clerk of works, to ensure that the mitigation measures identified are implemented in full.

REASON: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.



Prepared By Ciara Cosgrave, A/Senior Executive Planner on the 15th September 2025

