

Summary Sheet on Weekly List for Week Ending
3rd September, 2023

<u>No of Applications received</u>	7
• Permission	5
• Permission for Retention	2
• Outline Permission	0
• Approval	0
• Permission Consequent on the Grant of Outline Permission	0
• Extension of Duration of Permission	0
• Temporary Permission	0

<u>Total Decisions issued</u>	3
Granted Full Planning Permission	2
Refused Full Planning Permission	0
Granted Outline Planning Permission	0
Refused Outline Planning Permission	0
Granted Permission to Retain	1
Refused Permission to Retain	0
Granted Permission Consequent on Grant of Outline	0
Refused Permission Consequent on Grant of Outline	0
Granted Extension of Duration of Permission	0
Refused Extension of Duration of Permission	0

Applications deemed invalid	4
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Further information received on applications	4
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Further information requested on applications	1
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Notification received re. Decisions appealed to An Bord Pleanala	2
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P L A N N I N G A P P L I C A T I O N S

P L A N N I N G A P P L I C A T I O N S R E C E I V E D F R O M 2 8 / 0 8 / 2 0 2 3 T O 0 3 / 0 9 / 2 0 2 3

under section 34 of the Act the applications for permission may be granted permission, subject to or without conditions, or refused; The use of the personal details of planning applicants, including for marketing purposes, maybe unlawful under the Data Protection Acts 1988 - 2018 and may result in action by the Data Protection Commissioner, against the sender, including prosecution

FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	EIS RECD.	PROT. STRU	IPC LIC.	WASTE LIC.
23/86	Pauric McWeeney	P	29/08/2023	Construction of 2 no. semi-detached dwellings over three levels, sewage connection, and all ancillary works Summerhill Townspark Carrick on Shannon Co. Leitrim		N	N	N
23/60084	Brian Collins	P	29/08/2023	renovation works to an existing two storey dwelling house, including the construction of a new single storey extension to the front and rear, an upgrade to the onsite waste water treatment system to comply with EPA code of practice, landscaping works, and all associated works necessary to facilitate the development. Cloneagh Bomacoola Leitrim N41 KT73		N	N	N

LEITRIM COUNTY COUNCIL

PLANNING APPLICATIONS

PLANNING APPLICATIONS RECEIVED FROM 28/08/2023 To 03/09/2023

Date: 08/09/2023

under section 34 of the Act the applications for permission may be granted permission, subject to or without conditions, or refused; The use of the personal details of planning applicants, including for marketing purposes, maybe unlawful under the Data Protection Acts 1988 - 2018 and may result in action by the Data Protection Commissioner, against the sender, including prosecution

FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	EIS RECD.	PROT. STRU	IPC LIC.	WASTE LIC.
23/60086	Q&M Construction Ltd.	R	01/09/2023	(a) Alterations to elevations of existing dwellings/apartment block, (b) 4 no. studio type apartments and extension of 2 no. ground floor apartments, (c) Construction of 6 number car parking spaces to existing carpark and all ancillary works. Shannon Grove Apartments Carrick-On-Shannon Co. Leitrim		N	N	N
23/60087	Ballinamore Development Company Ltd	P	01/09/2023	Resume and develop sites B & C to the rear of Ballinamore Enterprise Centre and construct 2 no. enterprise buildings, as follows:- (a) 5 no. enterprise/workspace units with mezzanine offices, two storey office building comprising office hub and administration offices, with café and toilet facilities on site B; (b) 3 no. enterprise /workspace units with mezzanine offices and single storey office on site; (c) Provision of carparking and service yards with 4 no. entrances on existing service road, bicycle parking, bin stores, landscaping, connection to existing services and site development works . This application is for a ten year Permission Willowfield Road, Ballinamore, Co. Leitrim		N	N	N

P L A N N I N G A P P L I C A T I O N S

P L A N N I N G A P P L I C A T I O N S R E C E I V E D F R O M 2 8 / 0 8 / 2 0 2 3 T O 0 3 / 0 9 / 2 0 2 3

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	EIS RECD.	PROT. STRU	IPC LIC.	WASTE LIC.
23/60088	Carrick on Shannon Lawn Tennis Club CLG	P	01/09/2023	proposed construction of a new single storey Clubhouse complete with viewing terrace at roof level, along with associated site works & services Carrick-on-Shannon Lawn Tennis Club St. George's Terrace, Townparks Carrick-on-Shannon, Leitrim		N	N	N
23/60089	Allen Gaels GAA Club c/o Fergal Mc Partlin,	P	01/09/2023	(1) construct a 3G multi use all weather sports surface with surrounding 6m high fence; (2) construct a hurling/ball wall; (3) construct a 4 number floodlights around the football field and 4 around the proposed 3G pitch and all ancillary works. Dristernaun, Drumshanbo, Co. Leitrim N41 AC89		N	N	N

Total: 7

*** END OF REPORT ***

PLANNING APPLICATIONS

PLANNING APPLICATIONS GRANTED FROM 28/08/2023 To 03/09/2023

In deciding a planning application the planning authority, in accordance with section 34(3) of the Act, has had regard to submissions or observations received in accordance with these Regulations;

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	M.O. DATE	M.O. NUMBER
23/60042	Dermot Reilly	R	11/07/2023	the construction of a bungalow type dwelling house built circa 1968 and all ancillary site works Hillcrest, Scordan Road Clooncorick, Carrigallen Co. Leitrim H12 EW24	28/08/2023	

P L A N N I N G A P P L I C A T I O N S

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	M.O. DATE	M.O. NUMBER
23/60043	Fenagh St Caillin's GAA Club	P	11/07/2023	(a) floodlighting to training pitch (b) location of car parking together with Planning Permission for (c) part single storey/ part two storey extension to existing clubrooms incorporating multi-function room, fitness suite, toilets, changing room, entrance foyer, kitchen, meeting room and plantroom (d) extension to southside of existing clubroom incorporating changing room together with alterations to plans/elevations of existing clubrooms which includes increased ridge/eaves height (e) upgrade and relocation of septic tank to waste water treatment system with percolation area (f) upgrade and extend existing training field with goal posts and ball stop netting (g) floodlighting to main pitch & training pitch to replace existing (h) new entrance walls and piers, extend carparking and provide recycling area (i) provide multi-use games area with associated fencing, (j) extend site boundaries, provide fencing and associated site works Annaghaderg, Keshcarrigan, Co. Leitrim N41ET26	30/08/2023	

**LEITRIM COUNTY COUNCIL
P L A N N I N G A P P L I C A T I O N S
P L A N N I N G A P P L I C A T I O N S G R A N T E D F R O M 2 8 / 0 8 / 2 0 2 3 T o 0 3 / 0 9 / 2 0 2 3**

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	M.O. DATE	M.O. NUMBER
23/60048	Alan & Michelle Carney	P	19/07/2023	1) retention of existing rear garage; 2) retention of revised site boundaries; 3) permission for demolition of exiting (North) porch and replacement with new; 4) permission for the construction of a new single storey extension to the rear (south) of existing detached dwelling house complete with associated internal reconfigurations and associated site works & services. Woodlodge Cornagillagh, Dromod, Co. Leitrim N41W8H4	31/08/2023	

Total: 3

*** END OF REPORT ***

P L A N N I N G A P P L I C A T I O N S

PLANNING APPLICATIONS REFUSED FROM 28/08/2023 To 03/09/2023

in deciding a planning application the planning authority, in accordance with section 34(3) of the Act, has had regard to submissions or observations received in accordance with these Regulations;

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION	M.O. DATE	M.O. NUMBER
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Total: 0

*** END OF REPORT ***

P L A N N I N G A P P L I C A T I O N S

INVALID APPLICATIONS FROM 28/08/2023 To 03/09/2023

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE INVALID	DEVELOPMENT DESCRIPTION AND LOCATION
23/86	Pauric McWeeney	P	29/08/2023	Construction of 2 no. semi-detached dwellings over three levels, sewage connection, and all ancillary works Summerhill Townspark Carrick on Shannon Co. Leitrim

P L A N N I N G A P P L I C A T I O N S
INVALID APPLICATIONS FROM 28/08/2023 To 03/09/2023

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE INVALID	DEVELOPMENT DESCRIPTION AND LOCATION
23/60085	Drumhierny Holding Ltd Drumhierny Holdings ltd	R	30/08/2023	(A)existing shelter building (The Cedaroo), (B) existing wellness centre building, (C) 2No. outdoor hot tubs and 4No. outdoor seaweed baths associated with the wellness centre building.(D) existing play area, (E) existing ESB sub-Station Building, (F) existing car parking area and access lane serving same, (G) temporarily, existing reception building for a five-year period, (H) temporarily, existing coffee shop for a five-year period, (I) temporarily, existing storage/maintenance buildings for a five-year period. (J) To renovate, extend and change the use of existing barn to an events venue centre, (K) To regularise existing entrance piers, wing walls granted under planning no 21/67 (L) To construct a new therapy suite, (M) construct a new outdoor plunge pool and (N) all associated site works. The development is located within the curtilage and attendant grounds of Drumhierny Lodge which is a Protected Structure in the Leitrim County Development Plan 2023-2029 in the town lands of Drumhierny and Macken, Leitrim Village Co. Leitrim. Drumhierny and Macken Leitrim Village Co Leitrim
23/60086	Q&M Construction Ltd.	R	01/09/2023	(a) Alterations to elevations of existing dwellings/apartment block, (b) 4 no. studio type apartments and extension of 2 no. ground floor apartments, (c) Construction of 6 number car parking spaces to existing carpark and all ancillary works. Shannon Grove Apartments Carrick-On-Shannon Co. Leitrim

P L A N N I N G A P P L I C A T I O N S
INVALID APPLICATIONS FROM 28/08/2023 To 03/09/2023

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE INVALID	DEVELOPMENT DESCRIPTION AND LOCATION
23/60087	Ballinamore Development Company Ltd	P	01/09/2023	Resume and develop sites B & C to the rear of Ballinamore Enterprise Centre and construct 2 no. enterprise buildings, as follows:- (a) 5 no. enterprise/workspace units with mezzanine offices; two storey office building comprising office hub and administration offices, with café and toilet facilities on site B.; (b) 3 no. enterprise /workspace units with mezzanine offices and single storey office on site; (c) Provision of carparking and service yards with 4 no. entrances on existing service road, bicycle parking, bin stores, landscaping, connection to existing services and site development works . This application is for a ten year Permission Willowfield Road, Ballinamore, Co. Leitrim

Total 4

*** END OF REPORT ***

PLANNING APPLICATIONS

FURTHER INFORMATION RECEIVED/VALIDATED APPLICATIONS FROM 28/08/2023 To 03/09/2023

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE INVALID	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION
22/196	Daniel McSharry	P		30/08/2023	F (a) retention of the existing two storey type domestic dwelling with living accommodation in roof space, (b) retention of an existing agricultural fodder storage shed, (c) retention of attached domestic garage, (d)retention of the existing wing walls and piers at site entrance and (e) amend site boundaries which were granted under parent application no 077/1051, and all ancillary works Derrinurn Drumkeeran Co. Leitrim
23/28	Lorcan O'Herlihy	P		28/08/2023	F construction of a single storey flat roof extension consisting of a kitchen and dining area onto the rear of an existing two storey farm house and all ancillary works necessary for the completion of same Gortnalibbert Manorhamilton Co Leitrim
23/64	Maeve Canning	P		01/09/2023	F will consist of the proposed construction of a detached two storey dwelling, detached residential garage. New proposed entrance to access proposed development.Proprietary tertiary treatment system with percolation area inclusive of all ancillary site works Mullaghbrack Mohill Co Leitrim

**LEITRIM COUNTY COUNCIL
PLANNING APPLICATIONS**

FURTHER INFORMATION RECEIVED/VALIDATED APPLICATIONS FROM 28/08/2023 To 03/09/2023

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FILE NUMBER	APPLICANTS NAME	APP. TYPE	DATE INVALID	DATE RECEIVED	DEVELOPMENT DESCRIPTION AND LOCATION
23/60054	Ray Galton	O		31/08/2023	F (a) construct 2 storey type domestic dwellings; and, (b) construct a new site entrance and wastewater treatment system to current EPA code of Practice together with all ancillary works Sheffield. Kilclare, Co Leitrim

Total: 4

*** END OF REPORT ***

P L A N N I N G A P P L I C A T I O N S
FURTHER INFORMATION REQUESTED FROM 28/08/2023 To 03/09/2023

FILE NUMBER	APPLICANTS NAME AND ADDRESS	APPN. RECEIVED	APP. TYPE	DEVELOPMENT DESCRIPTION AND LOCATION	F.I. REQUEST DATE
23/60045	Waltree Facilities 15 Railway Rd Belcoo, Co.Fermanagh Northern Ireland F91 W2H6	12/07/2023	P	construction of a Bottling Plant with access to public road and connection to services along with all associated siteworks Kiltyclogher Td. Kiltyclogher Co.Leitrim F91 W2H6	01/09/2023

***** CONTROL REPORT *****

Approval : 0
Extension of Duration : 0
Outline : 0
Permission : 1
Retention : 0
Permission Consequent : 0
Temporary : 0
1

***** END OF REPORT *****

LEITRIM COUNTY COUNCIL
A N B O R D P L E A N Á L A

APPEAL DECISIONS NOTIFIED FROM 28/08/2023 To 03/09/2023

FILE NUMBER	APPLICANTS NAME AND ADDRESS	APP. TYPE	DECISION DATE	DEVELOPMENT DESCRIPTION AND LOCATION	B.P. DEC. DATE	DECISION
21/57	Tullynamoyle Wind Farm 5 Ltd Bayview Ballysadare Co.Sligo	P	02/02/2022	a ten-year planning permission and a thirty- year operational life, from the date of commissioning, for an additional four (4) wind turbines to the nineteen (19) turbine Tullynamoyle windfarm (15 existing turbines and 4 consented turbines) in the townlands of Tullinloughan, Lackagh, Tullynamoyle and Gowlaun, County Leitrim. An underground grid connection to Corderry Substation will be located in the townlands of Tullinwanna, Tullynasharragh, Gubaderry, Tullinwillin, Gortahork, Mullaghmore, Leamaskally, Cornmarve, Drumlumman Glebe, Drumillion, Drumany Glebe, Belhavel, Corrasra and Corderry, Killarga, County Leitrim. The proposed development will constitute the provision of the following: 1. The construction of four (4) wind turbines with maximum hub heights of 92 metres and maximum overall heights of 155 metres to blade tip. 2. The construction of crane hardstand areas located beside each turbine. 3. The construction of one (1) 20kv substation building, 2 No. container units and associated electrical plant for grid stabilisation. 4. Internal windfarm underground cabling including one stream-crossing by overhead line. 5. The construction of new site access tracks and the provision of upgraded access roads. 6. Installation of a drainage system for the proposed hardstand and road areas. 7. Underground grid connection to Corderry 110kv substation, approximately 9.5km in length, along	29/08/2023	CONDITIONAL

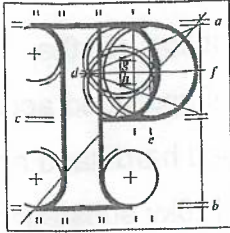
**LEITRIM COUNTY COUNCIL
AN B O R D P L E A N Á L A**

APPEAL DECISIONS NOTIFIED FROM 28/08/2023 To 03/09/2023

22/215	Vantage Towers Ltd Mountainview Leopardstown Dublin 18	P	03/04/2023	<p>the existing public road network. 8. All associated site development and ancillary works. The planning application will be accompanied by an Environmental Impact Assessment Report (EIAR) and by a Natura Impact Statement. Townlands as above.</p> <p>erect a 24 metre high lattice telecommunications support structure together with antennae, dishes and associated telecommunications equipment all enclosed in security fencing with a new access track Laghta (Td) Kinlough Co Leitrim</p>	31/08/2023	CONDITIONAL
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Total: 2

***** END OF REPORT *****



An
Bord
Pleanála

Board Order
ABP-312895-22

Planning and Development Acts 2000 to 2022

Planning Authority: Leitrim County Council

Planning Register Reference Number: P21/57



Appeal by Tullynamoyle Wind Farm 5 Limited care of Jennings O'Donovan and Partners Limited of Finisklin Business Park, Sligo against the decision made on the 2nd day of February, 2022 by Leitrim County Council to refuse permission for the proposed development.

Proposed Development: A 10-year planning permission and a 30-year operational life, from the date of commissioning, for an additional four (4) wind turbines to the nineteen (19) turbine Tullynamoyle windfarm (15 existing turbines and four consented turbines) in the townlands of Lackagh, Tullynamoyle and Gowlaun, County Leitrim. An underground grid connection to Corderry Substation will be located in the townlands of Tullinwannia, Tullynasharragh, Gubaderry, Tullinwillin, Gortahork, Mullaghmore, Leamaskally, Cornmarve, Drumlumman Glebe, Drumany Glebe, Belhavel, Corrasra and Corderry, Killarga, County Leitrim. The proposed development will constitute the provision of the following: (1) The construction of four (4) wind turbines with maximum hub heights of 92 metres and maximum overall heights of 155 metres to blade tip, (2) the construction of crane hardstand areas located beside each turbine, (3) the construction of one (1) 20kv substation building, two number container units and associated electrical plant

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for grid stabilization, (4) internal windfarm underground cabling, (5) the construction of new site access tracks and the provision of upgraded access roads, (6) installation of a drainage system for the proposed hardstand and road areas, (7) underground grid connection to Corderry 110kv substation, approximately 9.5 kilometres in length, along the existing public road network and (8) all associated site development and ancillary works, all at Townlands of Lackagh, Tullynamoyle and Gowlaun, County Leitrim. The proposed development was revised by further public notices received by the planning authority on the 1st day of December, 2021.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

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

- (a) the nature, scale, and extent of the proposed development,
- (b) the provisions of the Project Ireland 2040 National Planning Framework,
- (c) the provisions of the Climate Action Plan 2023 – Changing Ireland for the Better,
- (d) the provisions of the Wind Energy Development Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2006,

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- (e) the policies of the Northern and Western Regional Assembly Regional Spatial and Economic Strategy (RSES) 2020-2032,
- (f) the provisions of the Leitrim County Development Plan 2023-2029,
- (g) the documentation submitted with the planning application, including further information responses to both Leitrim County Council and the Board, including the Environmental Impact Assessment Report (EIAR), as amended and the Natura Impact Statement (NIS), as amended,
- (h) the submissions received on file including from the planning authority, prescribed bodies, and third parties,
- (i) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects on European sites,
- (j) the pattern of development in the area, including the existing Tullynamoyle wind farm and permitted extension to same, and the separation distance to houses, and,
- (k) the report of the Inspector.

Appropriate Assessment: Stage 1

The Board agreed with and adopted the screening assessment and conclusions carried out in the Inspector's report that the only European sites in respect of which the proposed development has the potential to have a significant effect are Boleybrack Mountain Special Area of Conservation (site code: 002032) and Lough Gill Special Area of Conservation (site code: 001976).

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Appropriate Assessment: Stage 2

The Board considered the Natura Impact Statement (NIS) as submitted with the grounds of appeal, and other associated documentation, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an Appropriate Assessment of the implications of the proposed development on the two European sites: the Boleybrack Mountain Special Area of Conservation (site code: 002032) and the Lough Gill Special Area of Conservation (site code: 001976), in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and,
- (c) the conservation objectives for the European sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European sites, having regard to the sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European sites in view of the sites conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

Environmental Impact Assessment

The Board completed an Environmental Impact Assessment of the proposed development taking account of:

- (a) the nature, scale, location, and extent of the proposed development,
- (b) the Environmental Impact Assessment Report, as amended and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, planning authority, prescribed bodies, and observers/submitters in the course of the application and appeal, and
- (d) the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, as amended, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed renewable energy development, and identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report, as amended and associated documentation submitted by the applicant and submissions made in the course of the application and appeal.

Reasoned conclusion on the significant effects

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

- Biodiversity – There would be some habitat loss due to the construction of some access tracks, hardstanding areas, substation, and turbine foundations. Existing and permitted infrastructure is used where possible. Some biodiversity impact is inevitable and unavoidable with development of the type proposed. The Environmental Impact Assessment Report, as amended, demonstrates that no habitat to be lost within the development site is a qualifying interest of Boleybrack Mountain Special Area of Conservation. Measures have been designed to mitigate potential negative and harmful effects as a result of the proposed development, primarily during the construction phase, on the key ecological receptors identified as part of the impact assessment. Measures for the construction, operation and decommissioning phases are set out relating to general mitigation, water quality and aquatic fauna, non-volant mammals, birds, and bats.
- Soils and Geology – There is the potential for landslide at this location, though this is true of many upland wind energy developments. Mitigation measures proposed, as set out in the Environmental Impact Assessment Report as amended, are related to, for example, earthworks, drainage management, and groundwater dewatering. The Environmental Impact Assessment Report as amended concludes that peat slide risk analysis indicates a low to negligible risk of instability should all mitigation measures and recommendations be adhered to.

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- Hydrology and Hydrogeology – Impacts on hydrology and hydrogeology could most likely occur during the construction phase. On-site data is in keeping with principals of peat hydrology in that there is a correlation between bog water level and distance from drainage features. A substantial number of mitigation measures are proposed to protect hydrology and hydrogeology, which also relate to other environmental factors such as biodiversity.
- Air and Climate – There would be a positive impact on the environment as a result of the increase in renewable energy resources.
- Landscape and Visual – The site is in an upland location and the proposed development would effectively read as an extension to the existing 15 number turbine wind farm where there are also an additional four permitted turbines. While the proposed development would result in additional landscape and visual change in the area, the impact is not considered to be significant at this location where turbines are already operational.

The Board completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, as amended and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the inspector.

Overall, the Board is satisfied that the proposed development would not have any unacceptable effects on the environment.

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Proper Planning and Sustainable Development

The Board considered that the proposed wind farm extension development, subject to compliance with the conditions set out below, would be in accordance with national, regional, and local planning policy including the relevant provisions of the Leitrim County Development Plan 2023-2029, would make a positive contribution to Ireland's move to a low-carbon energy future, would be acceptable in terms of impact on the visual amenities and landscape character of the area, would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health, would not pose a risk to water quality or affect the natural heritage of the area, would not adversely impact the road network in the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of November, 2021 and in the grounds of appeal received by An Bord Pleanála on the 1st day of March, 2022 and the further information received by An Bord Pleanála on the 5th day of September 2022, except as may otherwise be required in order to comply with the following conditions. Where such 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission shall be for a period of 30 years from the date of commissioning of the proposed development.

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

3. The period during which the proposed development hereby permitted may be constructed shall be 10 years from the date of this Order.

Reason: In the interest of clarity.

4. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, as amended, through the course of the application and appeal, and other plans and particulars submitted with the application shall be implemented in full.

Reason: In the interests of clarity and the protection of the environment during the construction and operational phases of the proposed development.

5. The mitigation measures contained in the Natura Impact Statement, as amended, during the course of the application and appeal, shall be implemented in full.

Reason: In the interests of clarity, ensuring the protection of European sites, and the proper planning and sustainable development of the area.

6. (a) The turbines shall have maximum hub heights of 92 metres, rotor diameters of 126 metres, and blade tip heights of 155 metres.
- (b) The wind turbines including hubs and blades shall be externally finished in a light grey colour.
- (c) Cables within the proposed development site shall be placed underground except as noted at the one water crossing to facilitate connection of proposed turbine T22 to the previously permitted substation.
- (d) The wind turbines shall be geared to ensure that the blades rotate in the same direction.
- (e) No advertising material shall be placed on or otherwise affixed to any structure on the site without a prior grant of permission.

Reason: In the interests of clarity and visual amenity.

7. Details of the materials, colours, and textures of all the external finishes of the proposed substation building and enclosing fence shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interest of the visual amenities of the area.

8. The developer shall appoint a suitably qualified ecologist to monitor and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna are carried out in accordance with best ecological practice and to liaise with consultants, the site contractor, the National Parks and Wildlife Service, and Inland Fisheries Ireland, where necessary. A report on the implementation of these measures shall be submitted to the planning authority and retained on file as a matter of public record.

Reason: To protect the environmental and natural heritage of the area.

9. The developer shall retain the services of a suitably qualified bird specialist to undertake appropriate pre-construction and post-construction bird monitoring surveys of the site. Details of the surveys to be undertaken and associated reporting requirements shall be developed following consultation with the National Parks and Wildlife Service and shall be agreed in writing with the planning authority prior to commencement of development. The surveys shall be completed annually for a period of five years following commissioning of the proposed development and copies of the report shall be submitted annually to the planning authority and to the National Parks and Wildlife Service.

Reason: To ensure the appropriate monitoring of the impact of the proposed development on the avifauna in the area.

10. The developer shall review usage by birds of the proposed development site and document bird casualties through an annual monitoring programme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This programme shall be developed in consultation with the Department of Housing, Local Government and Heritage, and shall cover the entire period of the operation of the proposed development.

Reason: To ensure appropriate monitoring of the impact of the development on the avifauna of the area.

11. The operation of the proposed development, by itself or in combination with any other permitted wind energy development, shall not result in noise levels, when measured externally at nearby noise sensitive locations, which exceed:
- (a) Between the hours of 0700 and 2300:
 - (i) the greater of 5 dB(A) $L_{90,10min}$ above background noise levels, or 45 dB(A) $L_{90,10min}$, at standardised 10 metres height above ground level wind speeds of 7 metres per second or greater,
 - (ii) 40 dB(A) $L_{90,10min}$ at all other standardised 10 metres height above ground level wind speeds
 - (b) 43 dB(A) $L_{09,10min}$ at all other times.

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Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, a noise compliance monitoring programme for the subject development, including any mitigation measures such as the de-rating of particular turbines. All noise measurements shall be carried out in accordance with ISO Recommendation R 1996 'Assessment of Noise with Respect to Community Response', as amended by ISO Recommendations R 1996-1. The results of the initial noise compliance monitoring shall be submitted to, and agreed in writing with, the planning authority within six months of commissioning of the wind farm.

Reason: In the interest of residential amenity.

12. In the event that the proposed development causes interference with telecommunications signals, effective measures shall be introduced to minimise interference with telecommunications signals in the area. Details of these measures, which shall be at the developer's expense, shall be submitted to, and agreed in writing with, the planning authority prior to commissioning of the turbines and following consultation with the relevant authorities.

Reason: In the interests of protecting telecommunication signals and of residential amenity.

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13. Details of aeronautical requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development. Prior to the commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the as-constructed tip heights and co-ordinates of the turbines.

Reason: In the interest of air traffic safety.

14. (a) Cumulative shadow flicker arising from the proposed development shall not exceed 30 minutes in any day or 30 hours in any year at any existing or permitted house, or other sensitive receptor.
- (b) The proposed turbines shall be fitted with appropriate equipment and software to control shadow flicker at houses and sensitive receptors.
- (c) A report shall be prepared by a suitably qualified person, in accordance with the requirements of the planning authority, indicating compliance with the above shadow flicker requirements. Within 12 months of commissioning of the proposed wind farm extension this report shall be submitted to, and agreed in writing with, the planning authority. The developer shall outline proposed measures to address any recorded non-compliances, controlling turbine rotation if necessary. A similar report may be requested at reasonable intervals thereafter by the planning authority.

Reason: In the interest of residential amenity.

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15. Prior to commencement of development, a detailed Construction Management Plan for the construction stage shall be submitted to, and agreed in writing with, the planning authority, generally in accordance with the proposals set out in the Environmental Impact Assessment Report. The Construction Management Plan shall incorporate the following:

- (a) a detailed plan for the construction phase incorporating, inter alia, the construction programme, supervisory measures, noise management measures, construction hours, and the management of construction waste,
- (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period,
- (c) an emergency response plan, and,
- (d) proposals in relation to public information and communication.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interests of environmental protection and orderly development.

16. Details of the Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The Construction and Environmental Management Plan shall include but not be limited to operational controls for dust, noise and vibration, waste management, protection of soils and groundwaters and surface waters, protection of flora and fauna, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interests of environmental protection and orderly development.

17. During the construction phase, a complaints register shall be maintained to record any complaints regarding but not limited to noise, odour, dust, traffic, or any other environmental nuisance. The complaint register shall include details of the complaint and measures taken to address the complaint and prevent repetition of the complaint. This register shall be available for inspection by the planning authority.

Reason: In the interest of orderly development.

18. On full or partial decommissioning of the proposed development, or if the wind farm ceases operation for a period of more than one year, the turbines and all decommissioned structures shall be removed and foundations covered with soil to facilitate revegetation. These reinstatement works shall be completed to the written satisfaction of the planning authority within three months of decommissioning or cessation of operation.

Reason: To ensure satisfactory reinstatement of the site upon cessation of the project.

19. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording, and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and,
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and,
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public roads. The form and amount of the security shall be as agreed between the relevant planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory reinstatement of the delivery route.

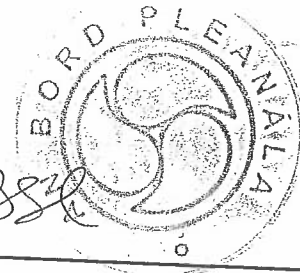
21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

22. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act, 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act, 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

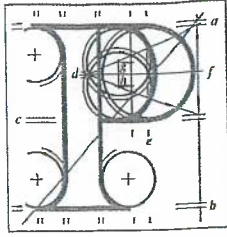




Una Crosse

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 29th day of August 2023.



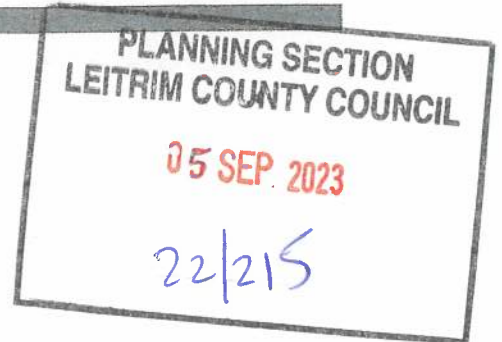
An
Bord
Pleanála

Board Order
ABP-316566-23

Planning and Development Acts 2000 to 2022

Planning Authority: Leitrim County Council

Planning Register Reference Number: P.22/215



Appeal by Vantage Towers Limited care of Charterhouse Telecommunications Consultants Limited of HQ, 27 Market Street, Listowel, County Kerry against the decision made on the 3rd day of April, 2023 by Leitrim County Council to refuse permission for the proposed development.

Proposed Development: Erection of a 24 metre high lattice telecommunications support structure together with antennae, dishes and associated telecommunications equipment all enclosed in security fencing with a new access track at Laghta (Townland), Kinlough, County Leitrim, as amended by the revised public notice received by the planning authority on the 13th day of March, 2023.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Leitrim County Development Plan 2023-2029 and the "Telecommunications Antennae and Support Structures Guidelines for Planning Authorities, issued by the Department of the Environment and Local Government in July, 1996, as updated by circular letter PL 07/12 issued in 2012, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually intrusive, would not seriously injure the amenities of the area or the residential amenities of properties in the vicinity and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 27th day of February, 2023, except as may otherwise be required in order to comply with the following conditions. Where such 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.
- (b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the removal of the telecommunications structure and ancillary structures and the work shall be completed within three months of the planning authority's approval in writing of these details.

Reason: In the interest of orderly development.

3. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations

4. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5. Details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

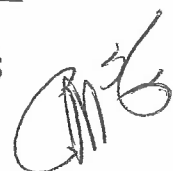
6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of the visual amenities of the area.

7. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third party licenced telecommunications operators.

Reason: In the interest of avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development.

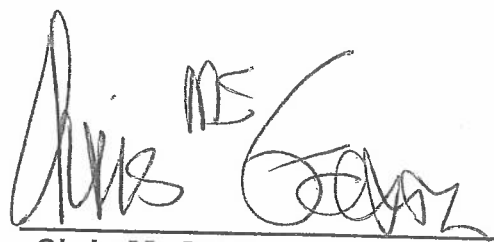
8. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, invasive species management plan and off-site disposal of construction/demolition waste.



Reason: In the interests of public safety and residential amenity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 31st day of August 2023.