



An
Bord
Pleanála

Board Order ABP-307136-20

Planning and Development Acts, 2000 to 2020

Planning Authority: Meath County Council

Application for approval under section 182A(1) of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura impact statement, lodged with An Bord Pleanála on the 9th day of April, 2020 by Lightsource Renewable Energy Ireland Limited care of Mott MacDonald of 5 Eastgate Avenue, Eastgate, Little Island, County Cork.

Proposed Development: 10-year permission for a 110kV substation with associated electrical plant, control buildings, welfare facilities, security fencing, additional internal access tracks and drainage, 100kV overhead line grid connection to the existing transmission line on site with associated angle lattice masts (maximum height of approximately 20 metres) and all ancillary works required to enable the construction and operation of the facility which is associated with the solar farm development (Meath County Council reference number: TA/181225) on land at Harristown, Castlejordan and Clongall, County Meath which received final grant on the 22nd January, 2020. All in the townlands of Harristown, Castlejordan and Clongall, County Meath.

Decision

APPROVE the proposed development under section 182A of the Planning and Development Act, 2000, as amended, for the following reasons and considerations and subject to the conditions set out below, and

DETERMINE under section 182B of the Planning and Development Act, 2000, as amended, the sum to be paid by the undertaker in respect of costs associated with the application, as set out in the Schedule of Costs below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

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

- (a) the nature, scale and extent of the proposed development,
- (b) the characteristics of the site and of the general vicinity,
- (c) the national targets for renewable energy contribution of 40% gross electricity consumption by 2020,
- (d) national and local policy support for developing renewable energy, in particular:
 - (i) the Government's Strategy for Renewable Energy, 2012-2020,

- (ii) the National Planning Framework Project Ireland 2040,
 - (iii) 'Delivering a Sustainable Energy Future for Ireland' - the Energy Policy Framework, 2007-2020,
 - (iv) the Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure 2012,
 - (v) the Climate Action Plan, 2019,
 - (vi) the Regional Spatial and Economic Strategy for the Eastern and Midlands Region,
 - (viii) Policies EC POL1 – 4 and EC POL 11 – 13 of the Meath County Development Plan, 2013-2019,
- (e) the location of the proposed development within the Southwest Lowlands Landscape Character area as set out in the Meath County Development Plan, 2013-2019, which is identified as having 'medium' capacity to accommodate overhead cables and substations,
 - (f) the distance to dwellings or other sensitive receptors from the proposed development,
 - (g) the planning history of the immediate area, including proximity to the permitted solar farm (register reference number TA/181225); the proposed development will serve as the grid connection for this generating asset infrastructure,
 - (h) the submissions on file, including those from prescribed bodies and the local authority,
 - (i) the Environmental Impact Assessment Report, as submitted,
 - (j) the Natura impact statement, as submitted, and
 - (k) the report of the Inspector.

Appropriate Assessment - Stage 1:

The Board considered the Natura Impact Statement and all the other relevant submissions and carried out both an Appropriate Assessment screening exercise and an Appropriate Assessment in relation to the potential effects of the proposed development on designated European Sites. The Board agreed with, and adopted the screening assessment and conclusion 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 the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232).

Appropriate Assessment – Stage 2:

The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Board completed an Appropriate Assessment of the implications of the proposed development for the European Sites, namely, the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232), 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:

- (i) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects,
- (ii) the mitigation measures which are included as part of the current proposal, and
- (iii) 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.

Environmental Impact Assessment:

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

- (i) the nature, scale and extent of the proposed development,
- (ii) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (iii) the submissions made in the course of the application, and
- (iv) the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed 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 and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board considered, and agreed with the Inspector's reasoned conclusions that the main significant direct and indirect effects of the proposed development on the environment would be as follows:

Population and Human Health: Potentially significant health and safety risks to construction workers due to working at heights and with high voltage electrical infrastructure. This will be mitigated through best-practice construction methods and compliance with health and safety standards resulting in a slight adverse residual effect. Potential air quality, dust and noise impacts on human health will be mitigated through compliance with a Construction Environmental Management Plan, best-practice construction methods and distance to sensitive receptors.

Biodiversity: Potential significant effects on birds, otters and badgers during construction and decommissioning phases due, primarily, to disturbance or accidental trapping. These potential effects will be mitigated through standard pollution prevention measures and good practice construction measures, the implementation of a Biodiversity Management Plan, buffer zones, mammal gates and the covering of excavations or provision of ramps. Pre-commencement badger, otter and bird surveys are also proposed.

Land, Soils, Water, Air and Climate: Potential significant hydrological effects are identified due to construction phase contamination of surface water, modification to run-off patterns, impediments to flow, erosion and sedimentation. During the operational phase increased surface water run-off and sedimentation of watercourses is also considered to result in potentially significant effects. These effects will be mitigated by a series of best-practice construction management and pollution prevention measures and other specific measures outlined in the Flood Risk Assessment, Drainage Impact Assessment and Outline Construction Environmental Management Plan.

Material Assets, Cultural Heritage and the Landscape: The location of the proposed substation is of moderate potential for unknown archaeological remains due to the presence of former buildings and boundaries on historic mapping. This will be mitigated through archaeological testing and monitoring during the construction phase. The Board completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the Environmental Impact Assessment Report, and, subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Proper Planning and Sustainable Development:

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, regional and local planning and related policy, would not have an unacceptable impact on the landscape or ecology of the area, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. 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. Where such conditions require details to be agreed with the local authority, the undertaker shall agree such details in writing with the local authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Environmental Impact Assessment Report and the Natura Impact Statement, and other particulars submitted with the application, shall be implemented by the undertaker in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

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

3. The period during which the proposed development may be carried out shall be 10 years from the date of this order.

Reason: In the interest of clarity and having regard to the scale and nature of the proposed development.

4. No works permitted by this grant of approval shall commence until such time as the works to improve sightlines at the existing access onto the L4091 Local Road, permitted under planning permission register reference number TA/181225, have been implemented.

Reason: In the interest of traffic safety.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the local authority for such works in respect of both the construction and operational phases of the proposed development.

Reason: In the interest of environmental protection and public health.

6. The undertaker shall comply with the following requirements:
- (a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
 - (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining properties or roads.
 - (c) Cables within the site shall be located underground.
 - (d) All fencing, gates and exposed metalwork shall be dark green in colour. The roofs of the buildings within the substation compound shall be dark-grey or black and the external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of clarity and in the interest of visual and residential amenity.

7. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. All existing hedgerows shall be retained. The landscaping and screening shall be maintained at regular intervals. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To assist in screening the proposed development from view and to blend it into its surroundings in the interest of visual amenity.

8. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the local authority, generally in accordance with the Outline CEMP included in the Environmental Impact Assessment Report. The CEMP shall incorporate the following:

- (a) a detailed plan for the construction phase incorporating, inter alia, the construction programme, supervisory measures, noise, dust and surface water management measures, including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste,
- (b) a comprehensive programme for the implementation of all monitoring commitments made in the planning 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 Environmental Management Plan shall be kept for inspection by the local authority.

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

9. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material. Cleaning works shall be carried on the adjoining public roads by the undertaker and at the undertaker's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

