

**An
Bord
Pleanála**

**Board Direction
BD-009623-21
ABP-310141-21**

At a meeting held on 09/12/2021, the Board considered the objections made to the proposed development, the report of the Inspector, the documents and submissions on file generally, in relation to the proposed development of a 110kV substation, underground cable and associated work in the townlands of Shantallow and Moyveela, County Galway to facilitate the export of renewable electricity generated by the permitted Shantallow Solar Farm to the national electricity grid.

The Board decided to approve the proposed development for the reasons and considerations set out below and subject to the following conditions.

The Board also determined 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.

Reasons and Considerations

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

- a) the nature, location, scale and extent of the proposed development, and the planning history on the site,
- b) the characteristics of the site and its general vicinity,
- c) the proximity of the site to the existing 110kV electricity transmission line,
- d) the national targets for renewable energy contribution,

- e) national, regional and local policy support for renewable energy, in particular:
- The Climate Action Plan 2021,
 - Project Ireland 2040 - National Planning Framework,
 - Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032, and
 - Galway County Council Development Plan 2015-2021,
- f) the purpose of the proposal as enabling infrastructure for the permitted solar farm,
- g) the pattern of development in the area, including the separation distance to dwellings,
- h) the submissions on the file including that from the Planning Authority,
- i) the documentation submitted with the application, including the Appropriate Assessment Screening Report, and
- j) the report of the Inspector,

Appropriate Assessment

The Board considered the Appropriate Screening Report and all other relevant submissions and carried out an Appropriate Assessment Screening exercise.

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the proposed development individually, or, in combination with other plans or projects would not be likely to give rise to significant effects on European sites and that Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement was not required.

Proper Planning and Sustainable Development and Likely Significant Effects on the Environment

It is considered that, subject to compliance with the conditions set out below, the proposed development would accord with national, regional and local planning and related policy, would not have an unacceptable impact on the landscape, biodiversity or cultural heritage, 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 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 agreed particulars. In default of agreement, such matters shall be referred to An Bord Pleanála.

Reason: In the interests of clarity.

2. 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 interests of clarity.

3. No works permitted by this grant of permission shall commence until such time as the temporary construction access from the R446 regional route, permitted under planning register reference number 17/1544 has been constructed.

Reason: In the interests of traffic safety.

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

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

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority

Reason: In order to safeguard the amenities of property in the vicinity.

6. The perimeter of the site shall be planted with native trees and shrubs in accordance with a landscaping plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development on the site. The plan shall indicate the species, variety, number, size and locations of all proposed trees and shrubs and a timescale for implementation.

Reason: In the interest of visual amenity.

7. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:
 - (i) An LAeqT value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive [The T value shall be one hour].
 - (ii) An LAeqT value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

(b) All sound measurement shall be carried out in accordance with the International Organisation of Standardisation (ISO) Recommendation R 199 "Assessment of Noise with respect to Community Response" as amended by ISO Recommendations R 1996 1,2 or 3 "Description and Measurement of Environmental Noise", as applicable.

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

8. The undertaker shall comply with the following requirements:

(a) All lighting within the site shall be cowled to prevent overspill outside the site. No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of permission.

(b) CCTV cameras shall be fixed and angled to face into the site. The location of CCTV cameras within the compound shall be agreed with the planning authority prior to commencement of work on the site.

(c) Cables within the site shall be placed underground.

Reason: In the interests of clarity and of visual and residential amenity.

9. 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.

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.

10. 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. The Construction Management Plan shall incorporate the following:

- (a) a detailed plan for the construction phase incorporating inter alia, construction programme, supervisory measures, noise management measures, traffic management and road restoration 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) invasive species management plan,

(d) an emergency response plan, and

(e) proposals in relation to public information and communication.

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

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

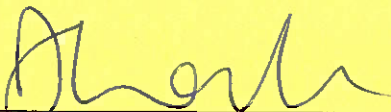
11. Prior to commencement of development, the undertaker shall lodge with the planning authority a bond of an insurance company, a cash deposit or other security to secure the provision and satisfactory completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development.

Reason: To ensure the satisfactory completion of the development.

Schedule of Costs

In accordance with the provisions of section 182B of the Planning and Development Act 2000, as amended, the amount due to the reimbursed to the applicant is **€89,638**.

Board Member:



Dave Walsh

Date: 09/12/2021