

An
Bord
Pleanála

Board Direction
BD-011696-23
ABP-312723-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/01/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to:

- (a) European, national, regional, and county level support for renewable energy development as follows:
 - (i) the government's Climate Action Plan 2023,
 - (ii) the government's Project Ireland 2040 National Planning Framework,
 - (iii) the Regional Spatial and Economic Strategy 2019 - 2031 published by the Eastern and Midland Regional Assembly,
 - (iv) the Meath County Development Plan 2021-2027, as adopted by Meath County Council,
- (b) the nature, scale, and extent of the proposed development,

Appropriate Assessment Stage 2

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for the European Site, 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.

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 on the 29th day of October 2021 and 15th day of November 2021, 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.

4. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

5. The mitigation measures identified in the Natura Impact Statement and other plans and particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the conditions of this permission.

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

6. (a) No 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 property or the road.
(c) Cables within the site shall be located underground.
(d) The MV Power Stations shall be dark green in colour. The external walls of the substation buildings shall be finished in a neutral colour such as light grey or off-white and the roof shall be black/grey.

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

7. Before construction commences on site, details of the structures of the security fence showing provision for the movement of mammals at regular intervals, using mammal gates or underpasses, along the perimeter of the site shall be submitted for prior approval to the planning authority.

9. (a) The landscape and ecology management plan as submitted to the planning authority on the 25th May 2021 and those updated plans for various sections received on 29th October 2021, drawing numbers NEO000790_72_02_B and NEO000790_73_B shall be carried out within the first planting season following commencement of development.
- (b) Landscaping and planting shall be carried out in accordance with details contained in the Biodiversity Management Plan submitted to the planning authority on the 25th May 2021.
- (c) All existing hedgerows (except at access track openings, entrances or at locations that require thinning as indicated) shall be retained notwithstanding any exemptions available and new planting undertaken in accordance with the plans submitted to the planning authority with the application.
- (d) All landscaping shall be planted to the written satisfaction of the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

10. The construction of the development shall be managed in accordance with a final Construction and 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.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

15. 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.

Board Member


Patricia Calleary

Date: 25/01/2023