



An
Bord
Pleanála

Board Direction BD-019660-25 ABP-319893-24

The submissions on this file and the Inspector's report were considered at Board meetings held on 16/04/2025 and 13/05/2025.

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 the nature and extent of the proposed development, which is integral to the upgrading and renewal of existing 38kV/MV electrical infrastructure at this location, and the provisions of the Kildare County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure or have an unacceptable visual impact on the landscape, would not seriously injure the residential amenities of the area or of property in the vicinity, would not have any significant effects on the environment, and would not have any likely significant effects on any European Site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

Having regards to the scale and nature of the proposed works within the administrative boundary of Kildare County Council, and the conclusions of the Natura Impact Assessment completed for the overall project, the substantive works

of which are within the administrative boundary of Carlow County Council, the Board agreed with the screening assessment and conclusion carried out in the Inspector's Report that the potential for significant effects on European Sites, in particular the River Barrow and River Nore Special Area of Conservation (Site Code: 002162) arising from the proposed development can be excluded without further assessment and therefore Stage 2 Appropriate Assessment is not required to be undertaken.

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 the agreed particulars.

Reason: In the interest of clarity.

2. An updated Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The CEMP shall include, but not be limited to, hours of construction, construction phase controls for waste management, protection of soils, groundwaters and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection.

3. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic and parking during the construction phase.

Reason: In the interest of traffic safety and convenience.

4. (a) The Developer shall engage a suitably qualified licenses archaeologist to monitor all site clearance works, topsoil stripping or groundworks associated with the proposed development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
- (b) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the Department of Housing, Local Government and Heritage, regarding appropriate mitigation which may include preservation in-situ or archaeological excavation.
- (c) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage, shall be complied with by the developer.
- (d) Following the completion of all archaeological work on site and any necessary post excavation specialist analysis, the planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.
- (e) The updated Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as described in the Archaeological Impact Assessment. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

Reason: To ensure the continued preservation, either in-situ or by record, of places, caves, sites, features or other objects of archaeological interest.

5. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

6. 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

Mary Gurrie
Mary Gurrie

Date: 14/05/2025