



An
Coimisiún
Pleanála

Direction
CD-022218-26
ACP-323893-25

The submissions on this file and the Inspector's report were considered at a meeting held on 26/05/2026.

The Commission decided to APPROVE the proposed development generally in accordance with the Inspector's recommendation, as indicated in the draft Order below. Costs were also determined by the Commission as indicated below.

Planning

Commissioner:

Date: 27/05/2026

Tom Rabbette

DRAFT ORDER

Reasons and Considerations

The Commission made its decision consistent with:

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

The Commission also had regard to the following in coming to its decision:

- European legislation, including of particular relevance:
 - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
 - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
 - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive, and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
 - National policy with regard to the development of electricity infrastructure, particularly the National Planning Framework First Revision 2025 and National Strategic Outcomes (NSO) 1, NSO 6, and NSO 8.
 - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
 - Regional Spatial Economic Strategy for the Southern Region;
- Limerick Development Plan 2022-2028.
- Other relevant national policy and guidance documents.
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- 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 of the proposed development on European Sites.

- The Natura Impact Statement submitted.
- The submissions and observations made in connection with the planning application.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment.

Appropriate Assessment:

The Commission noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Commission accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the site's conservation objectives. The Commission was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the following European Sites: Lower River Shannon Special Area of Conservation (Site code: 002165) and River Shannon and River Fergus Estuaries Special Protection Area (Site code: 004077) or any other European Site, in view of the site's conservation objectives. This screening determination is based on the following: Scientific information provided in the Screening report; the scale of the development on fully serviced lands; distance from and weak indirect connections to the European Sites; no ex-situ impacts on wintering birds; no significant impact in terms of site-specific conservation objectives; as well as the lack of any other pathway or link to any European Sites.

Environmental Impact Assessment Screening:

The Commission completed an environmental impact assessment screening of the proposed development. Having regard to the nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and the Schedule 7A information

submitted by the applicant, following a screening determination, the Commission concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded following this screening determination and an environmental impact assessment is not required.

Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the limited nature and scale of the proposed substation development, in an industrial estate / business park
 - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment

The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Proper Planning and Sustainable Development:

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning and related policy, and would not have an unacceptable impact on the landscape or ecology, would not have a significant impact on surface water

discharge from the subject site, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it 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 undertaker shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Environmental Report shall be implemented.

Reason: To protect the environment.

3. Any clearance of vegetation from the development site shall only be carried out in the period between the 1st day of September and the end of February (outside of the main bird breeding season).

Reason: In order to avoid disturbance or destruction of nests, nestlings and breeding birds.

4. External lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. External lighting shall be of a type that ensures deflection of light downwards and cowled. External lighting at

substation compounds to be sensor controlled to prevent light spill.

Reason: In the interest of amenity and public safety.

5. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the undertaker shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

6. Prior to the commencement of development, the undertaker shall enter into a Connection Agreement with Uisce Éireann to provide for service connection to the public water supply.

Reason: In the interest of public health and to ensure adequate water facilities.

7. The undertaker shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the local authority archaeologist or the National Monuments Service as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. 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 National

Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].

The undertaker shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the undertaker.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service 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 undertaker.

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

8. Prior to commencement of works, the undertaker shall submit to, and agree in writing with the planning authority, a Construction Environmental Management Plan (CEMP), which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development including construction hours, adequate on site car parking, wheel washing facilities, drainage, noise and dust management measures and off-site disposal of construction/demolition waste. The location of any and all archaeological or cultural heritage constraints shall also be included, alongside relevant mitigation measures. A Construction Traffic Management Plan shall form part of the CEMP.

Reason: In the interest of public safety and amenity.

9. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agencies Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for

effectiveness. 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 reducing waste and encouraging recycling.

Schedule of Costs

In accordance with the provisions of section 182B of the Planning and Development Act 2000, as amended, the amount due to be reimbursed to the applicant is **€67,948**.