



An
Coimisiún
Pleanála

Direction
CD-022386-26
ACP-324114-26

The submissions on this file and the Inspector's report were considered at a meeting held on 12/08/2026.

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

Planning

Commissioner:

Mick Long

Date: 13/08/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to 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 decisions:

- European legislation, including of particular relevance:

- The relevant provisions of EU Directive 2011/92/EU as amended by Directive 2014/52/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
 - 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 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 Outcome 1, National Strategic Outcome 6, and National Strategic Outcome 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;
 - Tipperary County 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 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 European Site Lower River Suir Special Area of Conservation (Site Code: 002137), in view of the site's conservation objectives.

This screening determination is based on the following:

- Scientific Information as set out in the applicant's Appropriate Assessment Screening Report.
- Standard pollution controls that would be employed regardless of proximity to a European Site, and effectiveness of same (at construction, operational and decommissioning phases).
- Distance from the European Site.

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, would be an appropriate development within the designated National Biodiversity Campus, would not have an unacceptable impact on the landscape or ecology, 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 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 outside of the main bird breeding season in the period between the 1st day of September and the last day of February.

Reason: To avoid the destruction of nest, nestlings and eggs of 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.

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 relevant section of the planning authority for such works and services

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

6. Details of the materials, colours and textures of all the external finishes to the proposed overground structures, overhead line end masts and gantries, transformer bays, lightings, telecommunications and fencing/gate boundaries shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement, the matters in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity.

7. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, to include a Construction Traffic Management Plan and Construction and Demolition Resource Waste 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:

- (a) Location of the site and materials compounds including areas identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels. Noise abatement measures shall comply with the planning authority requirements;
- (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (m) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be available for inspection by the planning authority.

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

8. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 to 1300 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground.

Reason: In the interests of visual and amenity.

10. Noise during operation of the development shall not give reasonable cause for annoyance to noise sensitive locations in the vicinity. The cumulative noise emissions from the operation of the development shall not exceed the background noise level by more than 5dB(A) during the day, evening and night periods. The development shall be managed to ensure that air emissions and/or odours do not result in significant impairment of local amenities and the environment.

Reason: In order to protect adjoining residential amenity.

Schedule of Costs

In accordance with the provisions of section 182B of the Planning and Development Act 2000, as amended, the Commission agreed the amount due to be reimbursed to the applicant is **€76,741**.