



An
Bord
Pleanála

Board Order ABP-303878-19

Planning and Development Acts, 2000 to 2019

Planning Authorities: Meath County Council

Application for permission under section 182A(1) of the Planning and Development Act 2000, as amended, in accordance with plans and particulars lodged with An Bord Pleanála on the 4th day of March, 2019 by Lightsource Renewable Energy Ireland Limited care of RPS Group of West Pier Business Campus, Dun Laoghaire, County Dublin.

Proposed Development: 10-year permission for a 110kV electrical substation and associated 110kV infrastructure required to connect a solar farm (permitted under Meath County Council register reference number RA/170873) to the existing Mullingar to Corduff 110kV overhead line. The substation compound (8,391 square metres) will include a control room, switchgear room, lightning protection masts, perimeter security fencing, security lighting, drainage infrastructure and associated works. The grid connection will comprise underground cabling, two number 110kV cable end masts and associated ancillary site development works. Access will be from the L6222 to the east (as permitted under Meath County Council register reference number RA/170873), all in the townlands of Harlockstown, Polleban and Vesingstown, Dunboyne, County Meath.

Decision

APPROVE the proposed development under section 182B of the Planning and Development Act, 2000, as amended, in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

DETERMINE under section 182B, as amended, the sum to be paid by the developer in respect of costs associated with the application as set out in the Schedule of Costs below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

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

- (a) EU legislation, including, in particular:
 - the provisions of Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC, as amended by 2009/147/EC (Birds Directives) which sets out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
 - the EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy,

- (b) national level policy, including:
 - the National Planning Framework 2040, in particular the aims related to new energy systems and transmission grids which are necessary for a more distributed renewables-focused energy generation system,
- (c) regional and local level policy, including:
 - the Regional Spatial and Economic Strategy for the Eastern and Midland Region, which supports the transition to low carbon and clean energy,
 - the Meath County Development Plan 2013-2019, in particular policies which support the development of renewable energy sources and the linking of renewable energy proposals to the electricity transmission network,
- (d) the nature, scale and design of the proposed development, as set out in the planning application, and the pattern of development in the vicinity, including the permitted solar farm,
- (e) 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,
- (f) the submissions made to An Bord Pleanála in connection with the planning application, and
- (g) the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening.

Appropriate Assessment Screening:

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on designated European Sites. The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. The Board considered the nature, scale and location of the proposed development, the submitted Appropriate Assessment Screening Report, the submissions on file and the report of the Inspector. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on European Sites, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment is not, therefore, required.

Proper Planning and Sustainable Development:

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the National Planning Framework, the Regional Spatial and Economic Strategy for the Eastern and Midland Region, the provisions of the Meath County Development Plan 2013-2019, would not have an unacceptable impact on the amenities of properties in the vicinity and 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission shall be for a period of 10 years from the date of this order.

Reason: To allow for a review of the proposed development having regard to the circumstances then pertaining.

3. The proposed development shall be undertaken in compliance with all environmental commitments made in the documentation supporting the application. Works in or near watercourses and means to cross watercourses shall be submitted to and agreed in writing with the planning authority following consultation with Inland Fisheries Ireland. The developer shall appoint a person with appropriate ecological and construction expertise as an Environmental Manager to ensure that the environmental commitments are implemented in full. Prior to the operation of the proposed development, a report on the implementation of these measures shall be submitted to the planning authority and retained on file as a matter of public record.

Reason: In the interest of environmental protection.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping. Landscaping details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to an appropriate scale showing –
 - (i) Existing trees and hedgerows to be preserved and details for the protection of same during the construction and operational phases of the proposed development.
 - (ii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species.
 - (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
 - (c) A timescale for implementation.

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 proposed 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 visual amenity.

5. All external finishes to the proposed electricity substation and associated service buildings shall be of a dark grey or matt green colour, or a colour to be agreed with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. 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 proposed development.

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

7. The construction of the proposed development shall be managed in accordance with a Construction and Environmental Management Plan and Traffic 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 proposed development, including noise and dust management measures, surface water management proposals, detailed design of watercourse crossings, the management of construction traffic, the means to protect the public road and off-site disposal of construction waste.

Reason: In the interest of public safety, the protection of ecology and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900, Mondays to Fridays inclusive, between the hours of 0800 to 1400 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.

9. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that 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 operations (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the planning authority considers appropriate to remove.

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 site and to secure the preservation and protection of any remains that may exist within the site.

10. Noise levels from the substation shall not exceed 55 dB(A) rated sound level (corrected sound level for any tonal or impulsive component) at dwellings between 0800 and 2200 hours on any day and shall not exceed 45dB(A) at any other time.

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

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 **€91,667**

A breakdown of the Board's costs is set out in the attached Appendix 1.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019