

An
Bord
Pleanála

Board Order ABP-318914-24

Planning and Development Acts, 2000 to 2022

Planning Authority: Wexford County Council

Application for approval 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 22nd day of January 2024 by Kilmannock Battery Energy Storage Limited care of Entrust Limited, Unit 1D Deerpark Business Centre, Oranmore, County Galway.

Proposed development: The proposed development, consisting of:

- Construction of an electrical infrastructure installation and associated underground grid connection (UGC) on lands within the townland of Great Island measuring approximately 2.58 hectares/25812 square metres in overall area.
- The installation would consist of a 110-kilovolt tail-fed substation and underground grid connection measuring approximately 838 metres in overall length.
- The 110-kilovolt substation would consist of a 110-kilovolt transformer; house transformer; disconnect, individual current and voltage transformers, combined current/voltage transformer, surge arrestors; circuit breakers and cable sealing end; a blastwall measuring 8.00 metres in overall height; four number lightning masts measuring 18.00 metres in overall height; palisade

fencing measuring 2.60 metres in overall height; pole-mounted security cameras and lamp posts.

- An Eirgrid substation building with an overall footprint of approximately 180.00 square metres and overall height of 8.21 metres would be located at the western end of the substation area.
- An independent power producer substation with an overall footprint of 132 square metres and height of overall 7.33 metres would be located at the eastern end.
- The typical underground grid connection installation would consist of standard Electricity Supply Board (ESB) ducting details of the following one number trench (0.82 metres wide; 1.31 metres deep) measuring approximately 838 metres in overall length to carry three number 160 millimetres power ducts and two number communication ducts and an Earth Continuity Conductor duct, connecting the proposed substation to an existing 110-kilovolt Eirgrid substation at Great Island.
- The typical trefoil trench will need to be adapted to a flat formation to accommodate for any service crossings encountered along the route. A typical width of trench for a flat formation trench would be approximately 1.60 metres with varying depths.
- A temporary construction compound would be constructed within the site boundary for construction phase of the development, after which it would be removed.

All located in the townland of Great Island, Kilmokea, County Wexford.

Decision

APPROVE the proposed development under section 182A of the Planning and Development Act, 2000, as amended, for the following reasons and considerations and subject to the conditions set out below, and

DETERMINE under section 182B of the Planning and Development Act, 2000, as amended, the sum to be paid by the undertaker in respect of costs associated with the application, as set out in the Schedule of Costs below.

Reasons and Considerations

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

- (a) the nature, scale and extent of the proposed development,
- (b) the characteristics of the site and of the general vicinity,
- (c) the national, regional and local policy support for developing renewable energy, in particular:
 - the National Planning Framework- Ireland 2040,
 - the Climate Action Plan, 2024,
 - the Government Policy Statement on the Security of Electricity Supply, 2021,
 - the Regional Spatial and Economic Strategy for the Southern Region,
 - Wexford County Development Plan 2022-2028,
- (d) the distance to dwellings or other sensitive receptors from the proposed development,
- (e) the planning history of the immediate area including the adjoining permitted Battery Energy Storage System and substation development,
- (f) the submissions on file from prescribed bodies,
- (g) 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 effects of the proposed development on European Sites, and
- (h) the report of the Inspector.

Appropriate Assessment Screening:

The Board 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 Board 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, Lower River Suir Special Area of Conservation (Site Code: 002137) and River Barrow and River Nore Special Area of Conservation (Site Code: 002162), and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' conservation objectives. The Board 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 any other European Site, in view of the site's conservation objectives.

This screening determination is based on the assessment of the nature and scale of the proposed development, the nature of the European Sites identified, the Qualifying Interests/Special Conservation Interests and the separation distance and absence of pathways between the European Sites and the proposed development.

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, it would not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, it would be acceptable in terms of traffic safety and convenience, and would make a positive contribution towards Ireland's renewable energy and security of energy supply requirements. It would be consistent with the Climate Action Plan, 2024. 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, as supplemented by the information received on the 17th day of April 2024, 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 the commencement of development and the development shall be carried out in accordance with the agreed particulars.

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

2. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Planning Statement Incorporating Environmental Considerations (January 2024), Appendices, and all other particulars submitted with the application, shall be implemented by the undertaker in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this Order.

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

3. 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.

4. The undertaker shall comply with the transportation requirements of the planning authority and other relevant bodies for such works and services as appropriate.

Reason: In the interest of traffic and pedestrian safety.

5. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Construction Environmental Management Plan received on the 17th day of April 2024. The CEMP shall incorporate the following:
 - (a) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;
 - (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
 - (c) an emergency response plan; and
 - (d) proposals in relation to public information and communication. A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of environmental protection and orderly development.

6. The undertaker shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments

Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works.

- (a) The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required.
- (b) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the undertaker.
- (c) No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.
- (d) The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. 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 and other objects of archaeological interest.

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

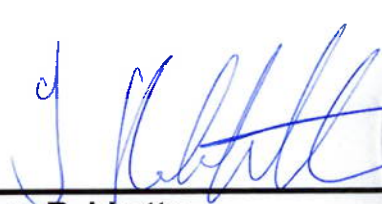
8. Prior to commencement of development, the undertaker shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the undertaker or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

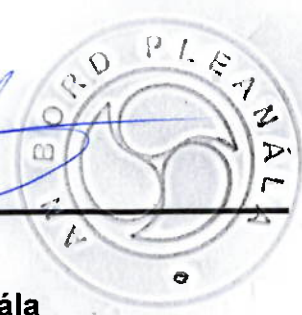
Schedule of Costs

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 **€80,207**

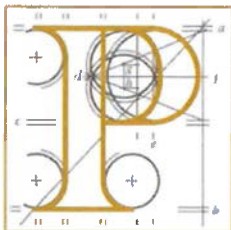
A breakdown of the Board's costs is set out in the attached Appendix 1.



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



Dated this 5th day of June 2024



An
Bord
Pleanála

**Board Order –
Appendix 1
ABP-318914-24**

Strategic Infrastructure Development

Costs of determining the Application

Case Number: ABP-318914-24

Proposed Development: 110kV substation and 110kV underground grid connection in the townland of Great Island, Kilmokea, County Wexford.

Board Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €4,541 Inspector 2 (application) €16,252	€20,793
(2)	Costs invoiced to Board	N/A
	Total chargeable costs	€20,793
Board Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- € 1,000	€101,000
(4)	Observer fees paid	N/A
	Total	€101,000
	Net amount due to be refunded to applicant	€80,207


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Dated this 5th day of June 2024