



An  
Bord  
Pleanála

Board Order  
ABP-319947-24

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 2460005**

**Appeal** by Ratheniska, Timahoe and Spink Action Group care of Noel Graham of Derry Timahoe Road, Portlaoise, County Laois against the decision made on the 21<sup>st</sup> day of May, 2024 by Laois County Council to grant, subject to conditions, a permission to East Laois Solar Farm Limited care of RPS Group – West Pier Business Campus, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Amend planning permission Register Reference 17532 to consist of: Replacement of permitted Distribution Network Operator (DNO) 110kV substation and all associated infrastructure (Glass Reinforced Polyester (GRP) Cabinet, monitoring house, storage shed, auxiliary transformer and WC) with an Air Insulation Switchgear (AIS) 110kV substation comprising a single-storey control building (circa 6.28 metres height and circa 133.7 square metres) within a palisade-fenced compound (circa 2.6 metres height and circa 1,779.8 square metres) and all associated electrical infrastructure and apparatus and realignment of permitted solar arrays. The proposed development will consist of: construction of a new vehicular entrance and access track connecting to permitted internal vehicular tracks;

construction of an underground cable (circa 160 metres length) to provide a tail fed connection to the permitted 400kV Coolnabacky Substation (An Bord Pleanála Case Ref. PL11.VA0015); and all ancillary site development works, including lighting, drainage, temporary construction compound and on-site parking to serve the operational and maintenance needs of the substation, all at Bigbog, Coolnabacky, Esker, Money Lower and Loughteeog, Stradbally, County Laois.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the provisions of the Laois County Development Plan 2021 - 2027, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health, would be consistent with the Climate Action Plan 2024 and would, therefore, be in accordance with the proper planning and sustainable development of the area.



## **Appropriate Assessment Screening Stage 1**

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file.

In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than the River Barrow and Nore Special Area of Conservation (Site Code 002162) which is the European Site for the potential for significant effects could not be ruled out.

## **Appropriate Assessment-Stage 2**

The Board considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on the River Barrow and Nore Special Area of Conservation (Site Code 002162) in view of the site's Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal,
- (c) the conservation objectives for the European site, and
- (d) the report of the Planning Inspector.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site in view of the conservation objectives of the site. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.



## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27<sup>th</sup> day of March 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 developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Save for the changes authorised by this permission, the proposed development shall comply with all relevant conditions of previous planning permission granted under planning authority register reference 17/532. This permission shall not extend the expiry date of that permission.

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

3. The mitigation measures contained in the revised Natura Impact Statement (NIS) submitted to the planning authority on the 27<sup>th</sup> day of March 2024, shall be implemented.

**Reason:** To protect the integrity of European Sites.

4. Prior to commencement of development, details including a layout plan of the site drainage system, to include the location of the proposed class 1 full retention separator, shall be submitted for the written agreement of the planning authority.

**Reason:** To protect surface waters.

  
\_\_\_\_\_  
**Mary Henchy**

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

Dated this 8<sup>th</sup> day of January 2025.