

An  
Coimisiún  
Pleanála

## Commission Order ABP-321064-24

**Planning and Development Act 2000, as amended.**

**Planning Authority: Laois County Council and Offaly 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 Coimisiún Pleanála on the 11<sup>th</sup> day of October, 2024 by Statkraft Ireland care of Malachy Walsh & Partner (MWP) Reen Point, Blennerville, Tralee, County Kerry.

**Proposed development:** The proposed development is for a ten-year permission that comprises the following:

- One (1) 110kV substation with associated compound, including two (2) single storey control and operational buildings, electrical plant, equipment, cabling, lighting, CCTV, lightning masts, diesel generator and diesel tank, security palisade fencing;
- 2.45 kilometres underground electric cabling systems between the wind farm site and the proposed 110kV substation overlain with five metres wide stone access track;
- 10.85 kilometres of 110kV underground electrical cabling from the proposed 110kV substation to the consented Bracklone 110kV substation including enabling works, services diversions, joint bays, along the grid route;
- New entrance and access road to substation site from the R423;
- New clear span and box culvert/piped water course crossings;
- Peat/spoil deposition areas; and

- All associated felling, drainage and ancillary works necessary to facilitate the development.

All in the townlands of Barranaghs, Garryhinch, Annamore in County Offaly and Forest Upper, Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone County Laois.

### **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 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, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the relevant provisions of 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:
  - 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.
  - EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025).
  - 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 alternative and indigenous energy sources and minimisation of emissions from greenhouse gases, particularly the National Planning Framework First Revision 2025 and National Policy Objective 70.
  - Wind Energy Guidelines: Guidelines for Planning Authorities 2006 and the draft guidelines published in 2019.
  - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
  - Regional Spatial Economic Strategy for the Eastern & Midlands Region;
  - Laois County Development Plan 2021-2027.
  - Offaly County Development Plan 2021-2027.
- 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 and environmental impact assessment.

It is considered that the proposed development would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

## **Appropriate Assessment: Stage 1:**

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the River Barrow and River Nore Special Area of Conservation (Site Code: 002162) is the European Site for which there is a likelihood of significant effects.

The Commission considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposal for the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), in view of the site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

## **Appropriate Assessment: Stage 2:**

In completing the assessment, the Commission considered, in particular, the likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon the European Site,

- i. Mitigation measures which are included as part of the current proposal,
- ii. Conservation objectives for this European Site, and
- iii. Views of prescribed bodies in this regard.

In completing the appropriate assessment, the Commission 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 integrity of the aforementioned European Site, having regard to the site's conservation objectives.

In overall conclusion, the Commission 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 site's conservation objectives

## **Environmental Impact Assessment:**

The Commission completed an Environmental Impact Assessment of the proposed development taking into account:

- (i) the nature, scale and extent of the proposed development,
- (ii) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (iii) the submissions made in the course of the application; and
- (iv) the Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the undertaker, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the undertaker and submissions made in the course of the application.

## **Reasoned Conclusions on the Significant Effects:**

The Commission considered, and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Minor and temporary negative impact on **Population and Human Health** due to the generation of additional traffic on local road networks during construction with associated noise and safety implications. This will be mitigated by measures set out in the Construction Environmental Management Plan and Traffic Management Plan.
- No cumulative **Biodiversity** impacts with authorised Dernacart Windfarm and Bracklone Substation on instream aquatic habitat quality and flow regimes. Mitigation will nonetheless be implemented to protect water quality through works

scheduling, invasive species management, and measures to mitigate against the release of suspended solids, fuels and oils, and cements.

- Positive cumulative impact of the proposed grid connection and Dernacart Windfarm on **Climate** through the supply of renewable electricity and reduction of emissions from fossil fuel burning for energy production every year for the lifetime of the windfarm.
- Significant positive impacts on **Material Assets – Built Services** by way of construction of new electricity grid infrastructure.
- Potential for adverse impacts on **Material Assets – Traffic and Transport** by way of increased traffic volumes on the local road network during construction. This increase will be well within the carrying capacity of most local road networks and will be temporary, with no effect on the capacity of the road network in the long term. Traffic impacts will also be mitigated by the Traffic Management Plan, which sets out duties and responsibilities, traffic management and control procedures, and proposed lane closures, site access, and road pavement monitoring details.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

## 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 European, national, regional and local planning and related policy, would be consistent with the provision of the Climate Action Plan 2025 and would make a positive contribution towards Ireland's renewable energy and security of energy supply requirements. Furthermore, the proposed development would have an acceptable impact on the environment and on the amenities of the area. 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 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 and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

**Reason:** To protect the environment.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

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

4. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

**Reason:** Having regard to the nature of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years.

5. The construction of the development shall be managed in accordance with a Construction Environmental 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 hours of working, noise and dust management measures, off-site disposal of construction/ demolition waste, measures for the storage of oils and fuels on site, measures for the protection of ground and surface waters, and arrangements for temporary signage/ traffic management.

**Reason:** In the interests of public safety and residential amenity.

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/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy, as well as a desktop assessment and licenced wade/dive survey. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the undertaker. 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. 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 or other objects of archaeological interest.

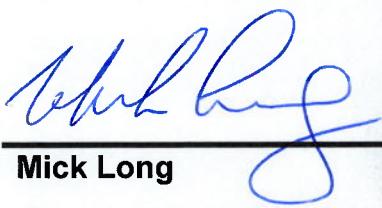
7. Prior to commencement of development, the undertaker shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled 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 Coimisiún Pleanála for determination.

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

## 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 undertaker is **€67,813**.

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



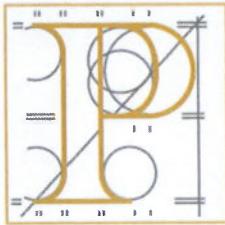
**Mick Long**

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 9<sup>th</sup> day of February 2026





## Strategic Infrastructure Development

### Costs of determining the Application

Case Number: ABP-321064-24

**Proposed Development:** 110kV Substation and Underground Grid Connection  
Located within the townland of Barranaghs, Garryhinch, Annamore in Co. Offaly & Forest Upper, Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone, Co. Laois.

<b>Commission Costs</b>		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €7,051 Inspector 2 (application) €29,636	€36,687
(2)	Costs invoiced to Commission	N/A
	<b>Total chargeable costs</b>	<b>€36,687</b>
<b>Commission Fees</b>		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- € 4,500	€104,500
(4)	Observer fees paid	N/A
	<b>Total</b>	<b>€104,500</b>
	Net amount due to be recouped to the applicant	<b>€67,813</b>

Mick Long

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 9th day of February 2026