

An  
Coimisiún  
Pleanála

## Commission Order ABP-322205-25

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

**Planning Authority: Tipperary 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 3<sup>rd</sup> day of April 2025 by Springmount Solar Farm Limited care of MKO Planning and Environmental Consultants of Tuam Road, Galway, County Galway.

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

The proposed development will comprise the provision of a permanent 110kV loop-in on-site electrical substation, adjacent to the consented Springmount Solar PV Farm (Tipperary County Council reference, 23/172, An Coimisiún Pleanála's reference, ABP-319664-24). The proposed development will directly enable the operation of the consented Springmount Solar PV Farm by facilitating its connection to the national electricity grid.

The proposed development comprises:

- (i) A 110kV loop-in on-site electrical substation including two number single storey control buildings with welfare facilities, and associated electrical plant and apparatus.

CM56

- (ii) Electrical cabling connecting the new 110kV loop-in on-site electrical substation to the existing Cahir-Doon 110kV overhead line will be underground in nature before reaching two number proposed new 16 metre electrical end masts;
- (iii) Substation compound and cable maintenance track;
- (iv) Temporary construction compound;
- (v) Two number joint bays in access track;
- (vi) Culvert/stream crossing and watermain/service crossing;
- (vii) Ancillary infrastructure and equipment including access gate, palisade security fencing, lighting columns; and
- (viii) All associated equipment and ancillary site development works.

All in the townlands of Kilmolash Upper and Rathkeevin, County Tipperary.

### **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, 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 decision:

- European legislation, including of particular relevance:
  - 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 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
  - 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 transition to a carbon neutral and climate resilient society, particularly the National Planning Framework First Revision 2025 and National Policy Objective 71.

- 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, including:
  - Tipperary Climate Action Plan 2024 - 2029.
  - Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012.
- 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 Natura Impact Statement submitted with the planning application.
- The submissions and observations made in connection with the planning application and the submissions on the application.
- The response to the submissions received from the applicant on the 30<sup>th</sup> day of September 2025 in respect of submissions received in respect of the application.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment and the Water Framework Directive.



- The planning history of the immediate area, including the permitted solar PV farm on three land parcels (Planning Authority Register Reference Number 23/74). This substation development will serve as the grid connection for this generating asset infrastructure.

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

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application, the Planning Inspector's report, and the submissions on file. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Lower River Suir Special Area of Conservation (Site Code: 002137) is the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the conservation objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

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

The Commission considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an Appropriate Assessment of the implications of the proposed development for the Lower River Suir Special Area of Conservation (Site Code: 002137), 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. In completing the Appropriate Assessment, the Commission considered, in particular, the following:

- (i) the likely direct and indirect impacts arising from the proposed development either individually or in combination with other plans or projects;

- (ii) the mitigation measures which are included as part of the current proposal,  
and
- (iii) the conservation objectives for the European Site.

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 aforementioned European Site, having regard to the site's conservation objectives. In overall conclusion, the Commission was satisfied that the proposed development, either by itself or in combination with other plans or projects, would not adversely affect the integrity of the Lower River Suir Special Area of Conservation (Site Code: 002137), in view of the Site's conservation objectives.

### **Proper Planning and Sustainable Development**

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have an unacceptable impact on the character of the landscape or on cultural heritage, would not seriously injure the visual or residential amenities of the area including designated views and prospects and scenic routes, would be acceptable in terms of public health and traffic safety, would not have undue impacts on surrounding land uses, would not have an unacceptable impact on ecology or on any European Site, would make a positive contribution to Ireland's requirements for renewable energy in accordance with national, regional and local policy, would contribute to the resilience of the energy distribution network and would constitute an acceptable form of development at this location. 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, and the response to submissions received by the Commission on the 30<sup>th</sup> day of September 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. 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 and its interdependent relationship to other developments, the Commission considers it appropriate to specify a period of validity of this consent in excess of five years.

3. The mitigation measures contained in the Natura Impact Statement shall be implemented in full.

**Reason:** In the interest of protecting the environment.

4. All of the mitigation measures set out in Table 6-1 of the Construction Environmental Management Plan (CEMP), that incorporates mitigation measures from the CEMP, Ecological Impact Assessment Report, Traffic and Transport Assessment, Landscape Mitigation Plan, Landscape and Visual Assessment, Flood Risk and Drainage Assessment, Geology and Hydrogeology Assessment, Cultural Heritage and Archaeology Assessment, and Noise Assessment, and other particulars submitted with the application,

shall be implemented in full 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 interests of clarity and of the protection of the environment including the integrity of European Sites during the construction and operational phases of the development.

5. The construction of the development shall be managed in accordance with a Final Construction Environmental Management Plan incorporating a Traffic Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall incorporate all mitigation measures, as set out in the application documentation, and provide details of intended construction practice for the development, including:
- (a) location of site and material compound(s) including areas(s) identified for the storage of construction refuse, site offices, construction parking and staff facilities, re-fuelling arrangements, security fencing and hoardings;
  - (b) a comprehensive construction phase traffic management plan including details of the timing and routing of construction traffic to and from the construction site and associated signage, to include proposals to facilitate the delivery of abnormal or exceptional abnormal loads to the site;
  - (c) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network;
  - (d) details of appropriate mitigation measures for noise and dust, and monitoring of such levels;
  - (e) containment of all construction related fuel and oil within specifically constructed bunds to ensure that fuel spillages are fully contained, such bunds shall be roofed to exclude rainwater;
  - (f) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;



- (g) means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses;
- (h) an audit list of all construction and operational mitigation measures, their timelines for implementation and responsibility for reporting, and
- (i) a record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan which shall be kept for inspection by the planning authority.

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

6. Access to the site will be via the access from the R687 Regional Road that was permitted as part of the Springmount Solar PV Farm granted permission under An Coimisiún Pleanála's reference ABP-319664-24.

**Reason:** In the interests of clarity and traffic safety.

7. The landscaping scheme shown on drawing number LMP02-FI (Mitigation Plan), dated the 9<sup>th</sup> day of May 2023, shall be carried out within the first planting season following substantial completion of the construction works. 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 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 order to screen the development, in the interest of visual amenity.

8. The undertaker shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the undertaker shall:

- (a) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall assess and monitor all preparatory works and all site development works;
- (b) investigate areas of archaeological potential by means of geophysical survey and, depending on the findings, carry out test excavations if deemed necessary following consultation with the National Monuments Services;
- (c) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development, and
- (d) submit a report to the planning authority, containing the results of the archaeological investigations and assessment. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (either in-situ or by record) and protection of any archaeological remains that may exist within the site.

9. During the construction phase, the undertaker shall adhere to the 'Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes', published by the National Roads Authority in 2006. In particular, there shall be no piling of foundations within 150 metres of an active badger sett during the breeding season (December to June) or construction works within 50 metres of such an active sett during the breeding season.

**Reason:** In the interest of wildlife protection.

10. Prior to the commencement of development, the undertaker shall enter into an Agreement with Uisce Éireann (Irish Water) to ensure that its assets are protected from damage during the construction phase of development.

**Reason:** In the interest of public health.



11. Prior to the commencement of development, the undertaker shall agree the exact grid connection details and interactions within the route corridor of the proposed N24 Waterford to Cahir Scheme with the planning authority, including the terms of liability for future costs arising as a result of any requirement to implement an electrical outage and/or cable relocation associated with the grid connection cabling between the proposed substation and the Cahir - Doon 110kV network, which may be required to facilitate the planning, design and delivery of the N24 Waterford to Cahir Scheme. In default of an agreement, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To safeguard the investment in the planning, design and delivery of the N24 Waterford to Cahir Scheme in accordance with Government policy and investment objectives.

12. The undertaker shall comply with the following requirements:

- (a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
- (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.
- (c) Cables within the site shall be located underground.
- (d) All fencing, gates and exposed metalwork shall be dark green in colour.

The roofs of the buildings within the substation compound shall be dark grey or black and the external walls shall be finished in neutral colours such as grey or off-white.

**Reason:** In the interests of clarity and of visual and residential amenity.

13. All road surfaces, culverts, watercourses, verges, and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority at the undertaker's expense. Prior to commencement of development, a road condition survey shall be carried out to provide a basis for reinstatement works. Details in this

regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to ensure a satisfactory standard of development.

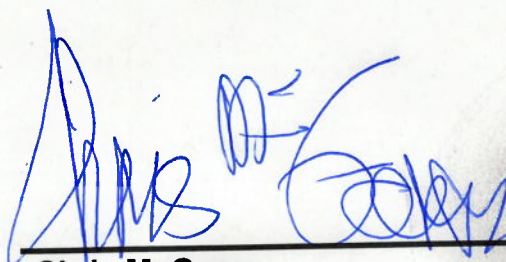
14. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

### 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 **€68,734**

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

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

Dated this  day of  2025.





An  
Coimisiún  
Pleanála

Commission Order –  
Appendix 1

ABP-322205-25

**Strategic Infrastructure Development**

**Costs of determining the Application**

**Case Number:** ABP-322205--25

**Proposed Development:** Proposed 110kV substation, grid connection and associated infrastructure and works in the townlands of Kilmolash Upper and Rathkeevin, County Tipperary ([www.springmountgrid.com](http://www.springmountgrid.com))

Commission Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €4,183 Inspector 2 (application) €28,083	€32,266
(2)	Costs invoiced to Commission	N/A
	<b>Total chargeable costs</b>	<b>€32,266</b>
Commission Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €1,000	€101,000
(4)	Observer fees paid	N/A
	<b>Total</b>	<b>€101,000</b>
	<b>Net amount due to be refunded to undertaker</b>	<b>€68,734</b>

  
Chris McGarry

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

Dated this  day of  2025

