



An
Coimisiún
Pleanála

Commission Order
ABP-322423-25

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 2460742

Appeal by Soleire Renewables Holdings Limited care of Entrust Limited of Unit 1, First Floor, Oranmore Business Park, Oranmore, County Galway against the decision made on the 10th day of April 2025, by Meath County Council to grant, subject to conditions, a permission for the proposed development.

Proposed Development: Application for a 10-year planning permission for the construction of, and a 40-year operation and subsequent decommissioning of, a development consisting of a 215-hectare solar farm (red line boundary). The solar farm comprises of two separate land parcels divided by local roads. The proposed solar farm will consist of a series of ground mounted solar photovoltaic (PV) panels, mounted on steel support structures and in some areas on concrete shoes to protect possible underground archaeological features, together with 28 electrical transformation enclosures, underground cabling, two number temporary construction compounds, the use of existing farm access tracks and existing site entrances, inverters, CCTV poles and cameras, deer type security/boundary fencing with some areas of boundary development on concrete shoes to further protect possible underground archaeological

features, landscaping and biodiversity measures and all associated ancillary development works, for the purpose of generating renewable energy electricity and transmitting it in the townlands of Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree, Rowan and Kinoristown, County Meath as amended by the further public notices received by the planning authority on the 14th day of February 2025.

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

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, and regional renewable energy policies and with the provisions of Meath County Development Plan 2021 – 2027, would not seriously injure the visual or residential amenities of the area or otherwise of property in the vicinity or have an unacceptable impact on the character of the landscape or on cultural or archaeological heritage, would not have a significant adverse impact on ecology, would be acceptable in terms of traffic impacts and safety and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the first party appeal, the Commission was satisfied and concurred with the Inspectors recommendation that the installation of solar panels as part of the proposed development in Flood Zones A and B would

not impact materially on flood risk in the area and removed condition 9(a) from the conditions associated with the permitted development.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Malahide Estuary Special Area of Conservation (Site Code: 000205), Malahide Estuary Special Protection Area (Site Code: 004025) and South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024) are the only European Sites 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 all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on Malahide Estuary Special Area of Conservation (Site Code: 000205), Malahide Estuary Special Protection Area (Site Code: 004025) and South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), in view of these sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to these sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

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 Sites. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such 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 29th day of January 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 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. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

3. This planning permission shall be for a period of ten (10) years for construction of the development, from the date of this Order unless, prior to the end of this period, a further grant of planning permission has issued.

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

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

5. The operational life of this solar farm shall be 40 years. All structures hereby authorised shall be removed not later than 40 years from the date of commencement of the development, and the site reinstated unless planning permission has been granted for their retention for a further period prior to that date. Prior to commencement of development, a detailed restoration plan, providing for removal of foundations/anchors and access roads to a specific timescale shall be submitted to the planning authority for prior written agreement. On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations, shall be dismantled, and removed from the site. The site shall be restored in accordance with the said programme, including all access roads, and all decommissioned structures shall be removed within three months of decommissioning.

Reason: To enable the planning authority to consider the impact of the development over the stated time period and to enable the planning authority to review the operation of the solar farm, having regard to the circumstances then prevailing, and in the interest of orderly development.

6. All mitigation measures in respect of the development hereby permitted shall be implemented as outlined in the Natura Impact Statement (NIS).

Reason: In the interests of protection of the Designated Sites.

7. All landscaping works shall be completed, within the first planting season following commencement of development, in accordance with the Landscape Mitigation Plans submitted to the planning authority on the 13th day of September 2024 and the 29th day of January 2025. Any trees and hedging 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. Existing field boundaries shall be retained, other than those specified for removal to facilitate access throughout the development site.

Reason: In the interests of biodiversity and the visual amenities of the area.

8. Any proposed culverts, crossings, watercourse diversions or amendments to same shall require Section 50 consent from the Office of Public Works and such written consent shall be submitted to the planning authority prior to the commencement of any development on the site.

Reason: In the interest of flood risk prevention.

9. (a) All hardstanding areas shall be drained to suitably sized soakaways in accordance with BRE365 requirements.
- (b) All internal roadways/access ways shall be constructed with permeable materials.

Reason: In the interest of surface water management.

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10. (a) The mitigation measures identified in the Ecological Impact Assessment (EclA), Breeding Bird Survey Report, Biodiversity Net Gain report, Terrestrial Mammal Survey and Construction Environmental Management Plan (CEMP) and other particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions. The developer shall appoint a professional person with appropriate ecological and construction expertise as Environmental Manager, to ensure that the mitigation measures identified in the above documents are implemented in full.
- (b) The developer shall submit fatality monitoring and flight activity surveys for a period of two years post completion of the development for the written agreement of the planning authority.

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

11. The mitigation and management measures outlined in the Environmental Noise Assessment and Fire Risk Assessment submitted to the planning authority on the 29th day of January 2025, shall be implemented in full.

Reason: In the interests of residential amenity and fire risk prevention.

12. The exact detail of the transformers/inverters and other ancillary units and structures shall be submitted to the planning authority, prior to commencement of development, for written agreement.

Reason: In the interest of visual amenity.

13. (a) The developer is required to engage the services of a suitably qualified archaeologist to co-ordinate the archaeological mitigation proposals for the establishment of appropriate exclusion and buffer zones contained in the Archaeology, Architecture and Cultural Heritage Report (Section 5 and Table 15 of Section 7) and to oversee the integration of the archaeological mitigation into the Construction and Environmental Management Plan (CEMP).
- (b) The archaeologist shall create a Conservation and Management Plan for all the sites to be preserved within the proposed development. The Plan shall include proposals for their preservation, conservation and management at preconstruction, construction phases, operational phases, and decommissioning phases of the development. This Plan shall be submitted to the planning authority and to the Department of Housing, Local Government and Heritage for written agreement and approval in advance of the commencement of construction works.
- (c) The archaeologist shall monitor under licence all groundworks associated with the development.
- (d) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the National Monuments Service of the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action, for example, preservation in situ, or excavation, and should facilitate the archaeologist in recording any material found.

- (e) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.

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

14. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Where the developer proposes to build over or divert existing water or wastewater services, the developer shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

15. (a) The developer shall implement all recommendations of the Glint and Glare Assessment submitted to the planning authority on the 13th day of September 2024, and any mitigation and enhancement measures detailed.
- (b) The construction works shall be carried out in accordance with the noise guidance set out by BS 5228-1:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites and the National Roads Authority Guidelines for the treatment of Noise and Vibration in National Roads Schemes and the Construction Environmental Management Plan. The developer shall agree with the planning authority permitted working hours for the construction period.

- (c) During the operational phase of the development noise levels emanating from the proposed site when measured at noise sensitive locations in the vicinity shall not exceed 45dB(A) between the hours of 0700 to 2300 and 43dB(A) between the hours of 2300 to 0700. All sound measurements shall be carried out in accordance with ISO Recommendations R 1996, 'Assessment of Noise with Respect to Community Response', as amended by ISO Recommendation 1996/1, 2 and 3, 'Description and Measurement of Environmental Noise', as appropriate. The measurement time intervals to be used are 15 minutes by day and 15 minutes by night. Where the time period for daytime is accepted (0800-2200 hours), and night-time (2200-0800 hours). The developer shall undertake a noise survey within three months of commissioning of the development to ensure that emission for the development comply with the noise conditions attached to any grant of planning permission and to identify potential issues requiring mitigation. The developer shall submit the report to the planning authority for review and agreement on any required mitigation measures.
- (d) The developer shall maintain and make available for inspection, environmental complaints register for the construction and operational phases; this register shall include, but not be limited to, complaints due to glint and glare, noise, and dust.
- (e) The developer shall finalise, update accordingly, and communicate to all site personnel the Construction Environmental Monitoring Plan (CEMP). The CEMP shall include, but not be limited to, operational controls for dust, noise and vibration, waste management, protection of soils and groundwaters, protection of flora and fauna, site housekeeping, emergency response planning, site environmental policy, environmental regulatory requirements and project roles and responsibilities. The CEMP shall also address

extreme of weather (drought, wind, precipitation, temperature extremes) and the possible impacts on receptors and mitigation of same. The CEMP shall be treated as a live document.

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

16. Prior to the commencement of any work on site, the developer shall submit proposals for the final locations, design and quantity of CCTV cameras to the planning authority for agreement. The revised proposals shall include the applicants' detailed justification and demonstration of best practice for the installation of CCTV cameras on site and shall not be directed towards adjoining property or the road.

Reason: In the interest of clarity.

17. (a) No external artificial lighting shall be installed or operated on site, unless otherwise authorised by a prior grant of planning permission.
- (b) Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level.
- (c) The solar panels shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission.
- (d) Cables within the site shall be located underground.

Reason: In the interest of visual and residential amenity.

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18. Prior to commencement of development, the developer 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 developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

19. Prior to commencement of development, the developer 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 reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interests of traffic safety and the proper planning and sustainable development of the area.

20. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Patricia Calleary

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



Dated this 03 day of November 2025