

An  
Coimisiún  
Pleanála

## Commission Order ACP-322503-25

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

**Planning Authority: Kildare 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 8<sup>th</sup> day of May 2025 by Oldcourt Energy Limited care of Jennings O'Donovan and Partners Limited of Finisklin Business Park, Sligo.

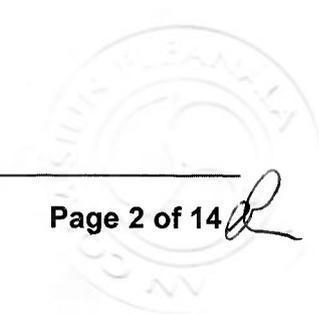
**Proposed development:** The proposed development is for a ten-year permission that comprises the following:

- Construction of new 110kV Air Insulated Substation and Independent Power Producer (IPP) compound circa 12711 metre squared surrounded by a 2.6 metre high palisade fence with property boundary post and rail fence;
- EirGrid compound will be approximately 101 metres by 92 metres and will comprise of the Single storey 437.5 metres squared 110kV control building and all associated 110kV electrical infrastructure;
- Construction of new IPP compound which will be approximately 32.8 metres by 109.2 metres and will comprise of a single storey 216.4 metres squared customer IPP building incorporating a control room, switch gear room and all associated electrical infrastructure;
- Approximately 500 metres of double circuit 110kV underground cable and 2 new steel line cable interface masts to connect to the existing overhead line (OHL);

- The proposed underground cable will consist of 2 number trenches with a minimum of 2.3 metre separation distance between each circuit. Each trench will contain 3 number 160 milimetre diameter high density polyethylene (HDPE) power cable ducts and 3 number 125 milimetre diameter HDPE communications duct to be installed in an excavated trench, typically 825 milimetres wide by 1,315 milimetres deep;
- Provision of vehicular construction and operational entrance and access track;
- Construction of a new culvert within the proposed access road to facilitate the 2 number circuits of 110kV underground cable;
- Construction of a new culvert to allow the construction of access roads to the new substation and IPP compounds;
- Temporary construction compound;
- Surface water drainage and water services;
- Site reprofiling;
- Site restoration and landscaping;
- Security fencing, external parking, lightning protection, CCTV, security lighting and all ancillary site works;
- Upgrade and widening of existing field access to facilitate the transformer and associated electrical infrastructure for the substation; and
- All associated site development works.

The proposed substation will be located within the consented red line boundary of the permitted Oldcourt Solar Farm granted planning permission under ref. 22/327 By Kildare County Council

All located within the townland of Oldcourt, Edenderry, County Kildare.



## 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 the 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.

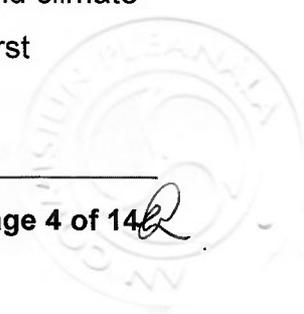
The Commission also had regard to the following in coming to its decision:

- 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 3<sup>rd</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 Oldcourt Solar PV Farm (Planning Authority Register Reference Number 22/327), that includes the site of the proposed development. This substation development will serve as the grid connection for this generating asset infrastructure

and to the following policies:

- 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 on the assessment of the effects of certain public and private projects on the environment,
  - 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 and Economic Strategy (RSES) for the Eastern & Midland Regional Assembly 2019-2031.
  - Kildare County Development Plan 2023-2029.
- Other relevant national policy and guidance documents including:
  - Kildare Climate Action Plan 2024-2029.
  - Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012.

### **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 River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232) 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 sites 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 River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and the River Boyne and River Blackwater Special Protection Area (Site Code: 004232), in view of the conservation objectives of the sites. 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 Sites.

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, having regard to the conservation objectives of the sites. 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 River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) or the River Boyne and River Blackwater Special Protection Area (Site Code: 004232), in view of the conservation objectives of the sites.

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

It is considered that, subject to compliance with the conditions set out below, the proposed development 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, 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,

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 3<sup>rd</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.

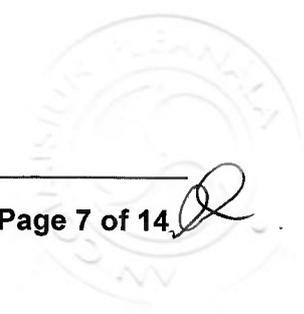
**Reason:** In the interest of clarity.

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 and monitoring measures as set out in the Construction Environmental Management Plan (CEMP), and the following sections and appendices of the Planning and Environmental Report (PER), Chapter 4 – ‘Biodiversity’, Chapter 5 – ‘Soils and Geology’; Chapter 6 – ‘Hydrology’; Chapter 8 – ‘Noise’; Chapter 9 – ‘Landscape and Visual Impact Assessment and Chapter 10 - Traffic and Transport’, shall be implemented in full by the undertaker in conjunction within the timelines set out therein except as may otherwise be agreed with the planning authority or as required 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. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

6. 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 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. The Traffic Management Plan will also address the cumulative traffic impact of the proposed development and the permitted Oldcourt Solar Farm (planning authority Register Reference Number 22/327);
- (c) include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 7 Cultural Heritage of the Planning and Environmental Report. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity;
- (d) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network;
- (e) details of appropriate mitigation measures for noise and dust, and monitoring of such levels;
- (f) 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;
- (g) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (h) 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;
- (i) an audit list of all construction and operational mitigation measures, their timelines for implementation and responsibility for reporting;
- (j) 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;
- (k) details of all proposed monitoring measures;

(l) a liaison plan in respect of local residents to keep them informed of impending disruption to traffic flow in the area.

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

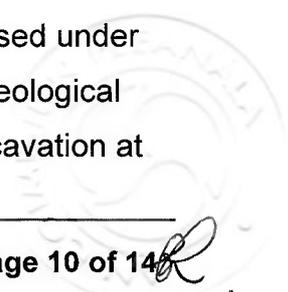
7. Prior to the commencement of development, the undertaker shall submit to the planning authority a photographic and condition survey of the L-5019 local road at the vehicular entrance and submit upgrade proposals for the L-5019 local road, as deemed required. All road surfaces, culverts, watercourses, verges, and public lands shall be protected during construction. Once the development has been completed, the undertaker shall submit a post construction photographic and condition survey of the L-5019 local road to be compared to the pre-construction condition survey. Any damage to the L-5019 local road caused by the development shall be repaired by, and the costs of such repairs shall be borne by the undertaker.

**Reason:** In the interest of clarity, traffic safety and to ensure a satisfactory standard of development.

8. The landscaping scheme shown on the 'Landscape Plan – Mitigation Plan 'drawing Reference LD.OLDCOURT 110kV SUBSTATION' dated April 2025, 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 three 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.

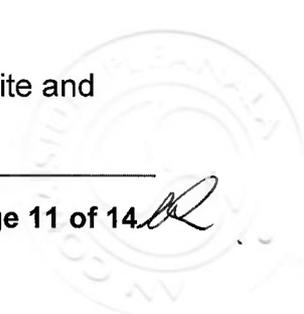
**Reason:** In order to screen the development, in the interest of visual amenity.

9. The undertaker shall engage a suitably qualified Archaeologist (licensed under the National Monuments Acts) to carry out a pre-development Archaeological Geophysical Survey and a pre-development Archaeological Test Excavation at



all areas of proposed ground disturbance (including temporary measures such as construction compounds or crane bases) 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. Please note:

- (a) The Archaeological Geophysical Survey must be carried out under licence from the National Monuments Service and in accordance with an approved Method Statement. Having completed the work, the Archaeologist shall submit a written report to the Department of Housing, Local Government and Heritage and to the planning authority describing the results of the Archaeological Geophysical Survey.
- (b) The Archaeologist shall liaise with the National Monuments Service to establish - based on the results the Archaeological Geophysical Survey - the appropriate scope of the Archaeological Test Excavation to adequately characterise the character and extent of any potential sub-surface archaeological material within the development site.
- (c) The report on the Archaeological Test Excavation 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.
- (d) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the undertaker.
- (e) 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.
- (f) The planning authority and the Department shall be furnished with a final Archaeological Report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and



any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the undertaker.

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

10. Water supply, foul drainage and the attenuation and disposal of surface water which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), with a 30% allowance for climate change, shall comply with the requirements of the planning authority for such works and details in respect thereof shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. As part of the submission, a revised 'Landscape Plan - Mitigation Plan (Appendix C)' and a revised 'Surface Water Management Plan (Appendix J)' shall be submitted to address the conflict between the proposals to provide landscaping and an infiltration basin in the same location to the west of the proposed substation.

**Reason:** To ensure adequate servicing of the development, to prevent pollution and in the interest of clarity.

11. A bat survey shall be undertaken prior to the commencement of development. The methodology and timing shall be agreed in advance, in writing, with the planning authority. The survey shall be undertaken by an ecologist with appropriate qualifications, training and experience in bat surveys. The survey report shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Should the bat survey determine that a derogation is required under regulation 54 of the European Communities Birds and Natural Habitats Regulations 2011, development shall not proceed until the derogation has been obtained.

**Reason:** To monitor bat species in the area during times of activity.

12. 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 and shall appoint a badger specialist to monitor the works for the duration of the project. 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.

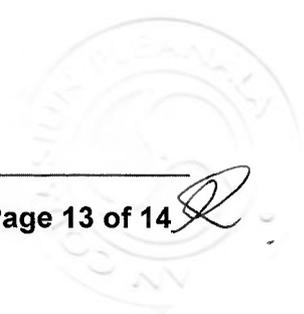
**Reason:** In the interest of wildlife protection.

13. A detailed lighting plan for the site shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason** In the interest of residential amenity and to reduce the impact of the proposed development on nocturnal species.

14. The undertaker shall comply with the following requirements:
- (a) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.
  - (b) 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.

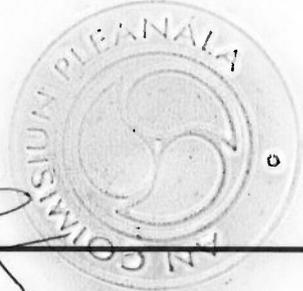
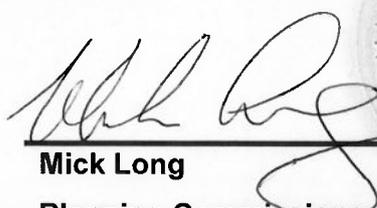
**Reason:** In the interest of clarity, of visual and residential amenity.



## 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 **€62,401**.

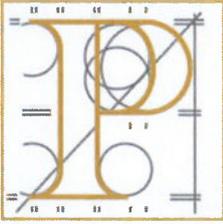
**A breakdown of the Commission's costs is set out in the attached Appendix 1.**



**Mick Long**

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

Dated this *3<sup>rd</sup>* day of *February* 2026



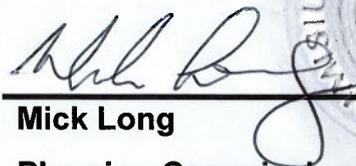
## Strategic Infrastructure Development

### Costs of determining the Application

Case Number: ABP-322503-25

**Proposed Development:** 10 year permission for construction of a 110kV substation and grid connection including ancillary works in the townland of Oldcourt, Edenderry, County Kildare.

Commission Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €4,302 Inspector 2 (application) €34,297	€38,599
(2)	Costs invoiced to Commission	N/A
	<b>Total chargeable costs</b>	<b>€38,599</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>
	Net amount due to be refunded to undertaker	<b>€62,401</b>



**Mick Long**

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

Dated this 3<sup>rd</sup> day of February 2026