

An
Coimisiún
Pleanála

Commission Order
ACP-322818-25

Planning and Development Act 2000, as amended

Planning Authority: Laois County Council

Planning Register Reference Number: 2460654

Appeal by John Phelan and Family against the decision made on the 27th day of May 2025 by Laois County Council to grant, subject to conditions a permission to Eirgrid in accordance with the plans and particulars lodged with the said Council.

Proposed Development: The development will consist of: Construction of a new securely fenced series compensation compound, measuring approximately 213 metres length by 183 metres width; Alterations to the existing Coolnabacky to Moneypoint 400 kV overhead line including the removal of one existing overhead line tower and provision of two 400 kV single circuit angle towers (approximately 36 metres high) to facilitate the diversion of the overhead line into the series compensation compound; Construction of two 400 kV gantry structures to allow connection of the Coolnabacky to Moneypoint 400 kV transmission circuit to the series compensation equipment (approximately 29 metres high); Construction of three series compensation platforms comprising of capacitor bank, metal oxide varistor, triggered air gap and discharge damping circuit (approximately 12 metres high to top of equipment on platform); Construction of a single storey communication and protection equipment control building, approximately 450 square metres and 8.2 metres high, with seven number

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associated parking spaces; Construction of a stores building measuring approximately 1800 square metres and 14.6 metres high (at the highest point of the sloping roof); Construction of two firewater storage tanks, each measuring approximately seven metres diameter and six metres high, with an associated fire pumphouse building measuring approximately 80 square metres and 7.2 metres high; Installation of associated 400 kV electrical equipment including insulators, instrument transformers, overhead conductors, disconnectors, circuit breakers, surge arrestors, line traps, lightning masts and filter reactors; and all ancillary site development works including site preparation works, site clearance and levelling; temporary construction compound; medium voltage substation, underground cabling and earth grid; surface water drainage network including an attenuation pond; palisade fencing and gates (approximately 2.6 metres high), mesh fencing (approximately 2.4 metres high) and property fencing (approximately 1.4 metres high); lighting poles, hardstanding and internal circulation road; water supply via a new borehole, foul water holding tank, provision of a 4.5 metres wide access track and landscaping, as required to facilitate the development, all at a site which measures 13.6 hectares, in the townland of Springfield or Knockkyle, Ballacolla, County Laois. This planning application was accompanied by a Natura Impact Statement (NIS).

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

The Commission made its decision consistent with:

- (a) 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.
- (b) 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.

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

- (c) the nature, scale and extent of the proposed development,
- (d) the characteristics of the entirety of the site and of the surrounding area,
- (e) National, regional and local policy support, in particular:
 - (i) National Planning Framework, First Revision, 2025
 - (ii) Government Policy Statement on the Security of Electricity Supply (2021),
 - (iii) Regional Spatial and Economic Strategy for the Eastern & Midland Region 2019-2031, and

- (iv) the Laois County Development Plan 2021-2027, and
- (f) the likelihood for consequences on 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.

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 Screening exercise 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 the River Barrow and River Nore Special Area of Conservation (Site Code 002162) 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 all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the River Barrow and River Nore Special Area of Conservation (Site Code 002162) in view of this site's 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 the site's 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 Objective for the European Site,

- (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 Site. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Site in view of the site's Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Conclusions on Proper Planning and Sustainable Development

It is considered that the proposed development, subject to compliance with the conditions set out below, would comply with the provisions of the Laois County Development Plan 2021-2027, would not have an unacceptable impact on the landscape and the visual amenities of the area, would not have significant adverse impacts on the environment, and would not seriously injure the amenities of property in the vicinity. The proposed development would not have any likely significant effects on the River Barrow and River Nore SAC or any other European Site. Accordingly, the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. (a) The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 29th day of October 2024, as amended by the further plans and particulars submitted on the 4th day of April 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.
- (b) The two number new lattice towers shall be installed and constructed in accordance with details received by the planning authority on the 4th day of April 2025.

Reason: In the interest of clarity.

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

Reason: In the interest of environmental protection and to protect the integrity of European Sites.

3. The mitigation measures contained in the submitted Planning and Environmental Considerations Report (PECR) shall be implemented in full.

Reason: In the interest of environmental protection.

4. Any external lighting shall be cowled and directed away from the public roadway and adjoining properties.

Reason: In the interests of traffic safety and residential amenity.

5. The developer shall engage a suitably qualified licence eligible 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. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) 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 developer. 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

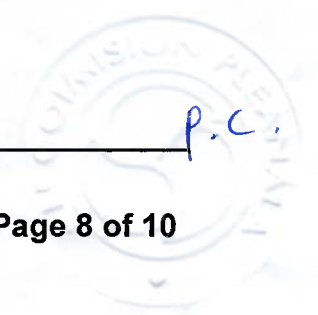
completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

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

6. A final Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise, vibration, external lighting, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection.

7. A final Construction Traffic Management Plan shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. This Construction Traffic Management Plan shall include the following detail:
 - (a) Identification of all proposed site access locations off the road network and the signage proposed at each location. Site access points must be clearly identified in advance on National, Regional and Local Roads; Proposals for loading/unloading of construction materials and plant.



- (b) Identification of parking locations - parking of all site operatives and construction vehicles shall not be permitted on the side of the national or regional road network.
- (c) Proposals to phase deliveries in order to minimize traffic disruption.
- (d) Consultation with Transport Infrastructure Ireland (TII).
- (e) Any proposed works to the national road network, including signage (static and VMS) shall comply with TII Publications.

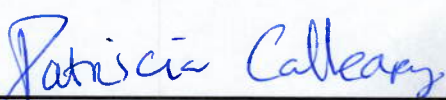
Reason: In the interest of traffic safety.

- 8. 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 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.

9. 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
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 23 day of July 2026