

---

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

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 2461133**

**Appeal** by John O'Brien against the decision made on the 8<sup>th</sup> day of October 2025, by Tipperary County Council to grant, subject to conditions, a permission to EirGrid plc in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Refurbishment works to 24.3 kilometres of overhead line, nine number steel towers and 121 number wooden polesets within County Tipperary. These lie between the existing Cahir Substation in the townland of Ballyhenebery, and the border with County Cork in the townland of Coolapreavan, crossing the County Tipperary townlands of: Ballyhenebery, Monaraha, Ballymacadam West, Killeenbutler, Garnavilla, Ballybrada, Cranna, Roosca (Hickey), Roosca (Burke), Crannavone, Killinure, Ballyhohan, Ballygarrane, Derravoher, Burges West, Curraghatoor, Kilroe, Kilbeg, Inchnamuck, Ballysheehan, Shanbally, Knockaarum, Cullenagh South, Carriganroe, Coolantallagh, Carrigavisteal, Dangan, Cooladerry, Knocknagapple and Coolapreavan. The development also includes three number temporary construction compounds in the townlands of Killeigh, Garnavilla and Knockaarum. The works in County Tipperary will consist of: the replacement ("restringing") of the existing overhead line (OHL) circuit

conductor wires; replacement of five number towers and 35 number polesets with similar dimensions and heights as the existing; installation of replacement parts on towers and polesets; foundation refurbishment/strengthening and recapping/clearing of shear blocks; all associated site development works, including temporary works areas; clearance of shear block bases; vegetation maintenance works; ancillary site preparation works, site clearance and levelling at the three number temporary construction compounds, temporary works to existing tracks and new temporary access routes to each structure; and all associated works required to facilitate the proposed development located between the existing Cahir Substation in the townland of Ballyhenebery, County Tipperary, and Knockraha Substation in the townland Ballynanelagh, County Cork.

## **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**

Having regard to the existing electricity distribution infrastructure already in place, demonstrated constraints to reposition Angle Mast (AM) number 124 and the justification provided to uprate the existing overhead line, which is considered reasonable given the need to accommodate the expected generation of power from renewable sources, it is considered that, subject to compliance with the conditions set out below, the proposed development, including the proposed replacement of Angle Mast (AM) number 124, would not result in a significant adverse visual impact over and above the existing overhead line and ancillary structures. In this respect, the proposed changes to Angle Mast (AM) number 124 located within Landscape Character Area 4

(LCA 4) 'The River Suir Plain', which is described as having a high capacity/low sensitivity where change or development is generally acceptable, located outside of both the visually sensitive designated Primary and Secondary Amenity Areas as per the Tipperary County Development Plan 2022-2028, would not result in a significant, additional adverse impact on the character of the area or the visual amenities of adjoining properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

**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 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 all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on Lower River Suir Special Area of Conservation (Site Code: 002137), in view of the 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 the 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 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.

## 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 15<sup>th</sup> day of August 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. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be fully implemented.

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

3. Prior to works commencing on the site, the developer shall submit to, and agree in writing with, the planning authority a final Construction and Environmental Management Plan (CEMP) which shall be adhered to during construction. The submitted CEMP shall include for the mitigation measures included in the Natura Impact Statement and shall also address the requirements of condition number 7 relating to Archaeology and Cultural Heritage. The CEMP shall also include a site-specific biosecurity plan for the sites identified under Section 5.1.4.2.12 (Invasive Species) of the Planning and Environmental Considerations Report (PECR). The CEMP shall clearly define all mitigation and monitoring arrangements to be implemented.

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

4. A detailed Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, site compound management and the location for storage of deliveries to the site and off-site disposal of construction waste. The haul route for construction traffic to and from the site shall be clearly identified, in addition to any necessary temporary road signage that is proposed to be erected. During development works, the developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. In addition, appropriate advance warning signs shall be erected, in

accordance with proposals, which shall have the prior written consent of the planning authority.

**Reason:** In the interest of traffic safety and convenience.

5. All solid waste arising on the site including site clearance waste, construction waste, demolition waste, rock, soil, and so forth shall be recycled as far as possible. Any materials exported from the site for recovery, recycling or disposal shall be managed at an approved licensed waste facility. Adequate on-site arrangements shall be made to the written satisfaction of the planning authority for the storage of recyclable materials prior to collection.

**Reason:** To protect the local environment.

6. Any end-of-life metal equipment shall not be allowed to accumulate on site. Any such end-of-life equipment or hazardous wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility. Adequate on-site arrangements shall be made to the written satisfaction of the planning authority for the storage of recyclable materials prior to collection.

**Reason:** To protect the local environment.

7. (a) All mitigation measures in relation to archaeology and cultural heritage as set out in Section 5.8 and Appendix H of the Planning and Environmental Considerations Report (dated November 2024) and the Further Information Response to item number 5 submitted on the 15<sup>th</sup> day of August 2025 shall be implemented in full, except as may otherwise be required in order to comply with this condition.

- (b) The developer shall engage the services of a suitably qualified project archaeologist to oversee the development. Prior to works commencing on the site the project archaeologist shall submit, for the written agreement of the Department of Housing, Local Government and Heritage (DoHLGH) and the planning authority, an overall strategy for archaeological works to be carried out both in advance of, and in parallel with, construction of the development. This shall include the location, extent and method of demarcation for any Exclusion Zones around the external-most elements of vulnerable Heritage Assets in proximity to the works or designated access routes that are to be preserved in situ. This shall also include the location and extent of any other protective measures such as ground protection matting that will be employed to protect vulnerable Heritage Assets or potential sub-surface archaeological deposits.
- (c) The engaged archaeologist (licensed under the National Monuments Acts) shall monitor all site clearance works, topsoil stripping, groundworks and the implementation of agreed preservation in-situ measures associated with the development.
- (i) The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
- (ii) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the DoHLGH, regarding appropriate mitigation which may include preservation in-situ or full archaeological excavation.

- (iii) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the DoHLLGH, shall be complied with by the developer.
  
- (d) The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Section 5.8 and Appendix H of the PECR (dated November 2024) and by any subsequent archaeological investigations associated with the development. 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.
  
- (e) The planning authority and the DoHLLGH 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 developer.

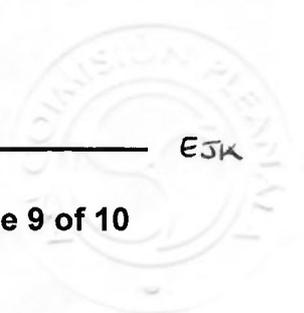
**Reason:** To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

8. Any cutting of trees, hedgerows and vegetation shall only be undertaken outside of the bird breeding season. The bird breeding season takes place between the 1<sup>st</sup> day of March and the 31<sup>st</sup> day of August. In the event that clearance/cutting works are unavoidable during this period, a pre-works breeding bird survey shall be undertaken by an experienced ecologist/ornithologist to identify nest sites which are to be marked and avoided by construction, if found, until such time that the site is vacated by fledglings, and shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To protect nesting birds and other wildlife.

9. A pre-construction survey for Badger shall be completed by a suitably qualified specialist to implement measures to ensure that active breeding sites or resting places of this protected species are not disturbed. The developer shall submit a Badger Mitigation and Protection Plan for the written agreement of the planning authority, prior to the commencement of works within the zone of influence of breeding sites and/or resting places.

**Reason:** To ensure the protection of Badger.



10. All works shall be supervised by an on-site Ecological Clerk of Works who shall report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution, or siltation incident or impact on protected habitats or species, and on-site works shall cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

**Reason:** To ensure compliance with mitigation measures and to protect biodiversity.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *4<sup>th</sup>* day of *March*, 2026

