



An
Bord
Pleanála

Record of Meeting ABP-300167-17 2nd meeting

Case Reference / Description	ABP-300167-17 110kV substation cable and two cable end masts in townlands of Vesingstown and Harlockstown, Dunboyne, Co. Meath		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	2 nd		
Date	26/03/18	Start Time	11.15 a.m.
Location	Meeting Room 3	End Time	12.15 p.m.
Chairperson	Phillip Green	Executive Officer	Kieran Somers

Attendees		
Representing An Bord Pleanála		
Staff Member	Email Address	Phone
Phillip Green, Assistant Director of Planning		
Pauline Fitzpatrick, Senior Planning Inspector		
David Curran, Senior Executive Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

Representing the Prospective Applicant		
Aidan Collins, Principal Planner, Lightsource Renewable Energy Ireland Limited		
Mark Evans, Grid Connections Manager, Lightsource Renewable Energy Ireland Limited		

The meeting commenced at 11.15 a.m.

Introduction:

The Board referred to its previous meeting with the prospective applicant of the 8th February, 2018 and the record of this meeting. The Board asked the prospective applicant if it had any comments to make on the record. The prospective applicant replied that it had no comments to make.

The Board referred to the letter it had issued to Eirgrid seeking comments as to whether Eirgrid was of the opinion that the proposed development might form part of the national transmission network. The Board summarised the contents of Eirgrid's response for the record and informed the prospective applicant that Eirgrid had expressed its opinion that the proposed development would form part of the national transmission network once operational.

The Board's representatives referred to the fact that the SID division of the Board has determined previous similar cases to constitute SID. It advised the prospective applicant that the SID division of the Board has not yet been asked to express an opinion on the instant case.

Noting this, the prospective applicant said that its expectation had been that the proposed development would likely constitute SID. It referred to the related planning application for the solar farm which is currently on a further information request from Meath County Council. The prospective applicant said that it has received an extension of time for submitting its response on this which expires towards the end of June 2018. In a general context, the prospective applicant expressed its preference to await the decision of the planning authority in relation to the proposed solar farm, which might subsequently be the subject of a planning appeal. If a planning appeal in relation to the proposed solar farm were lodged, the prospective applicant said that it would seek to co-ordinate the lodging of any SID application with any such planning appeal.

The Board advised the prospective applicant that the reporting inspector could compile an initial report at this point in time and seek the preliminary opinion of the SID division in this regard. Alternatively, the Board's representatives offered the prospective applicant the option of giving it the formal procedures for the making of a SID planning application at the instant meeting and also referring to the planning matters which might have a bearing on the Board's consideration of the proposed development.

The prospective applicant stated its preference that this would be the final meeting in this particular pre-application consultation process. Noting this, the Board's representatives said that an early closure of the process, as signalled by the prospective applicant, would mean that it would not have an opportunity to meet with the relevant local authority. Responding to the prospective applicant's query on this, the Board said that such meetings have been held on such cases in the past and are generally viewed by the Board as information-gathering exercises. The Board also said that such meetings assist it in understanding the main issues involved in a specific case.

The Board referred to the main planning matters which, in its view, would arise in relation to the proposed development; these included archaeology, visual impact, hydrogeology, risk of flooding and effects on residential amenities. The Board stated its opinion that the matters likely to arise in respect of the instant application would be similar to those arising with regard to the proposed solar farm.

The Board confirmed to the prospective applicant that EIAR scoping can be carried out by it, if so requested, with respect to a section 182A application. The Board also reminded the prospective applicant of the new EIA Directive which it said entails requirements regarding EIA screening.

Responding to the prospective applicant's query on the matter, the Board confirmed that there is provision for it to seek further information in respect of this type of planning application; however, it emphasised that the prospective applicant should seek to lodge an application which is as comprehensive and robust as possible.

As a matter of clarification, the prospective applicant said that any subsequent planning application in relation to the proposed development would be made by Lightsource Renewable Energy Ireland Limited. The prospective applicant stated that the Holding Company's name is Lightsource BP.

The Board also advised that a stand-alone section 182A application might not necessarily entail the holding of an oral hearing. The holding of an oral hearing is often predicated on the number of third party objections received and the complexity of planning issues. The Board qualified these remarks by saying that the holding of an oral hearing might be more likely if there was a planning appeal case running in tandem with the SID application.

With respect to the necessity for an EIAR, the Board's representatives stated that the proposed development would not likely in itself require an EIAR to be lodged with the planning application although EIARs had accompanied strategic infrastructure sub-station cases where associated with a further separate planning application for development subject of an appeal which itself required EIA. It said that the SID division could impart an informal opinion. The prospective applicant stated that it would seek to close the pre-application consultation process and possibly seek a determination on the matter at a later date.

Application procedures:

Procedures in relation to the making of a formal planning application to it were given by the Board as follows:

- An application can only be lodged after formal notice has been received by the prospective applicant from the Board.
- The application must be made by way of full completion of an application form to the Board.
- The Board requires as a minimum that the public notice of the application would be in two newspapers circulating in the area to which the proposed development relates, one of which should be a national newspaper. A site notice in accordance with the protocols set out in the Planning and Development Regulations, 2001-2017 must also be erected. The date of the erection of the site notice is to be inserted; otherwise it should contain the same information as the newspaper notices and should remain in place for the duration of the period during which the public can make submissions to the Board.
- The documentation relating to the application is to be available for public inspection at the offices of the relevant planning authority and the offices of An Bord Pleanála. In this regard the requirements in terms of the number of copies of the documentation to be lodged with the relevant planning authority and the Board is as follows:
 - Planning Authority – 5 hard copies and 2 electronic copies.
 - An Bord Pleanála – 3 hard copies and 7 electronic copies.
- The Board also requires the prospective applicant to provide a stand-alone website containing all of the application documentation. The address of this website is to be included in the public notice.
- The public notice of the application is to indicate that the application documentation will be available for public inspection after the elapsment of at least 5 working days from the date of the publication of the notice so as to ensure that the documentation is in place for such inspection.

- The time period for the making of submissions by the public is to be at least seven weeks from the date the documents become available for inspection (not from the date of publication of the public notices). The Board requires that the public notice must indicate the deadline time and date for the making of submissions to the Board. It was agreed that the prospective applicant could advise the Board's administrative personnel in advance of the details of its proposed public notice and that any further definitive advice on same including confirmation of dates/times could be communicated at that stage.
- The service of notice of the application on any prescribed bodies must include a clear statement that the person served can make submissions to the Board by the same deadline as specified in the public notice.
- The service letter on the planning authority with the necessary copies of the documents should be addressed to the Chief Executive and should also alert the authority to the Board's requirement that the application documentation be made available for public inspection/purchase by the planning authority in accordance with the terms of the public notice (copies of any newspaper/site notices should be provided to the planning authority). It is the Board's intention that all of the application documentation will remain available for public inspection during the currency of the application.
- The depositing of the application documentation and the making of the application to the Board should take place immediately after the publication of the notice and the completion of the service requirements. It should not await the elapsment of the period for the public to make submissions. The application documentation should include a copy of all letters serving notice of the application on prescribed bodies and the local authority, copies of the actual newspaper notices as published and the site notice.
- The fee for lodging an application is €100,000. The fee for making a submission in respect of an application is €50 (except for certain prescribed bodies which are exempt from this fee). There is an existing provision enabling the Board to recover its costs for processing any application from the applicant. In addition, it was pointed out that the legislation also enables the Board direct payment of costs or a contribution towards same to the planning authority and third parties.

The sequencing of the making of the application was summarised as follows:

1. Publish newspaper notices.
2. Serve copy of relevant documents on bodies/persons required to be notified of the application. Deposit required number of copies with relevant planning authority.
3. Deposit required number of copies of application documentation with An Bord Pleanála and make an application to it.

Conclusion:

With respect to the list of prescribed bodies which it would include with its formal SID determination letter, the Board said it would also have regard to the prescribed bodies contacted in relation to the current solar farm planning application at local authority level.

Lastly, the Board advised the prospective applicant to await receipt of the record of this instant meeting before seeking formal closure of the pre-application consultation process.

The meeting concluded at 12.15 p.m.

Phillip Green**Assistant Director of Planning**