



An  
Bord  
Pleanála

## Record of Meeting ABP-304101-19 1<sup>st</sup> meeting

<b>Case Reference / Description</b>	ABP-304101-19  Solar farm development with associated 110kV station at Trascaun and Cloondoolusk, Portarlinton, Co. Offaly.		
<b>Case Type</b>	Pre-application consultation		
<b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup>		
<b>Date</b>	25/07/19	<b>Start Time</b>	11 a.m.
<b>Location</b>	Parnell Room	<b>End Time</b>	12.15 p.m.

<b>Attendees</b>		
<b>Representing An Bord Pleanála</b>		
Anne Marie O'Connor, Assistant Director of Planning (Chair)		
Donal Donnelly, Planning Inspector		
Josephine Hayes, Senior Executive Officer		
Kieran Somers, Executive Officer		
<b>Representing the Prospective Applicant</b>		
Joanne Allen Hamilton, Tobin Engineers		
Michael Moore, Elgin Energy		
Robyn Seery, Elgin Energy		

## **Introduction:**

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board.

The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

## **Presentation by the prospective applicant:**

The prospective provided the Board with a background to the proposed development and also with regard to itself and the various projects it has progressed through planning in the past, including a 46MW solar farm located at Bann Road, County Antrim.

The proposed development comprises electricity infrastructure comprising a 110kV (AIS) substation, which is associated with a 40MW solar farm proposed solar farm development.

The prospective applicant indicated its intention to submit the planning application for the solar farm element of the project to the relevant local authority (Offaly County Council). It acknowledged that the electricity infrastructure element will likely be the subject of a separate SID application to the Board. A letter was received from Eirgrid (dated 29<sup>th</sup> August, 2018) confirming that the proposed 110kV substation would form part of the transmission network. The letter also refers to the fact that a grid connection agreement offer has been made to the prospective applicant from Eirgrid.

The following is of note:

- The River Barrow and River Nore Special Area of Conservation lies approximately 155 metres south of the proposed solar farm.
- It is intended to produce one Environmental Report to accompany both applications (Planning and Environmental Considerations Report). It outlined the main headings which would be addressed in this report which included Ecology, Water, Traffic, Landscape and Visual and Cultural Heritage.
- With respect to the proposed solar farm, the prospective applicant advised the Board that the western parcel of land may or may not be pursued subject to on-going negotiations with relevant landowners. In any event, the prospective applicant said that this will not have any implications for the proposed 110kV substation.

## **Discussion:**

The following matters were discussed:

- **SID Status:** The Board said that its preliminary conclusion would be that the proposed substation will comprise SID given that it comprises a 110kV substation and grid connection that would form part of the transmission network. It referred to precedent cases in this regard.
- **Flooding:** The flood plain is located to the south/south-east of the subject site. Flooding studies have been carried out by the applicant and it is stated that the proposed substation is located outside of the 1:100 year flood (with

an allowance for climate change). This issue should be addressed in any application.

- **Visual Amenity:** Photomontages and landscape assessments should be cognisant of environmental sensitivities in the receiving landscape, particularly given the flat and open nature of the receiving environment. Particular regard should be had to views from the River Barrow and any features of archaeological or architectural heritage.
- **Archaeology:** The potential impact on archaeology, both in terms of individual features, and the archaeological landscape should be examined. The prospective applicant said that it has an archaeologist currently working on such assessments.
- **Proximity to residential properties:** In response to the Board's question, the prospective applicant estimated the likely separation distance to the nearest residential receptor as being circa 150 metres.
- **Appropriate Assessment:** The prospective applicant confirmed to the Board that a Natura Impact Statement (NIS) will be undertaken given the proximity to the River Barrow and River Nore SAC. It added that the NIS will incorporate standard mitigation measures which will relate mainly to aquatic species. The Board advised that any such document should also address in-combination effects with other plans and projects, particularly the proposed solar farm.
- **Environmental Impact Assessment:** With regard to the proposed 110kV substation, the prospective applicant clarified that its current intention is to erect two new lattice towers (cable end masts) which would be inserted in the existing overhead line. It is proposed that the new substation will connect to the existing overhead line via an overhead looped connection. Noting this, the Board's representatives reminded the prospective applicant that development of this class (110kV Overhead line) might require EIA; it suggested the prospective applicant might wish to seek legal advice on this matter. The prospective applicant replied that it would likely examine alternative options including the replacement of overhead line with underground cabling.
- **Public Consultation:** Public consultation has not taken place to date, the prospective applicant stated that it's past practice has been to write

individually to stakeholders and facilitate one-to-one meetings. Noting this, the Board advised early engagement as being the best practice in dealing with issues and alleviating concerns.

**Consultation with Prescribed Bodies:** Consultation has been held with Offaly County Council. Issues raised focussed on the impacts of construction traffic. Certain bodies, such as the Development Applications Unit, have been notified in writing but no response received by the prospective applicant to date.

### **Application procedures:**

The Board provided procedures for the making of a planning application to the prospective applicant 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 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 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. The Board said that it can offer administrative advice on procedural matters relating to the public notice which would include the confirmation of last dates for the making of written submissions.
- 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 Board confirmed that it will provide a list of the relevant prescribed bodies with its formal SID determination letter.
- 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. 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 planning application to the Board was summarised as follows:**

1. The applicant publishes newspaper notices and erects site notice(s).
2. Copies of the relevant documents are served on bodies/persons required to be notified of the application (i.e. prescribed bodies).
3. The applicant deposits the required number of copies with the relevant local authority (Offaly County Council in this particular case).
4. The applicant deposits the required number of copies of the application documentation with An Bord Pleanála and makes the planning application.

**Conclusion:**

The prospective applicant said that its current intention is to lodge the planning application for the proposed solar farm with Offaly County Council at the end of August 2019. Noting this, the Board said that a second meeting in the pre-application consultation process would probably not be required and said that the prospective applicant can request formal closure at any time following receipt of the written record of the meeting. The Board advised the prospective applicant of its current practice to hold a SID application in abeyance pending any third party appeals being received on the associated proposed solar farm.

The record of the instant meeting will issue in the meantime and the prospective applicant can submit any comments it may have on this in writing.

The meeting concluded at 12.15 p.m.

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**Anne Marie O'Connor,**  
**Assistant Director of Planning**