



An  
Bord  
Pleanála

## Record of 1<sup>st</sup> Meeting ABP-304629-19

<b>Case Reference / Description</b>	ABP-304629-19 Proposed development of a 110kV substation and associated transmission grid connection in townlands of Harristown, Castlejordan and Clongall, Co. Meath.		
<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>	27/08/19	<b>Time</b>	11.00 -11.40 a.m.

<b>Attendees</b>
<b>Representing An Bord Pleanála</b>
Anne Marie O'Connor, Assistant Director of Planning (Chair)
Pauline Fitzpatrick, Senior Planning Inspector
Ellen Morrin, Senior Administrative Officer
Kieran Somers, Executive Officer
<b>Representing the Prospective Applicant</b>
Aidan Collins, Lightsource BP
Barry Wadding, Lightsource BP
Conor Healy, Mott MacDonald
Eoin O'Mullane, Mott MacDonald

## **Introduction:**

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant 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 applicant outlined the main development elements of the project as a whole as follows:

- Solar farm development
- Battery storage component
- 110kV substation
- 110kV grid connection (overhead line)

A planning application has been made to Meath County Council in relation to the proposed solar farm and battery storage elements. This resulted in a further information request from the local authority which required the preparation of an EIAR and NIS.

With regard to the proposed development under discussion (110kV substation and grid connection), the prospective applicant referred to the fact that the previous design, as presented under pre-application file ABP-301646-18, had been in respect of an underground cable connection to the grid. The prospective applicant said that the current design is now envisaged to utilise a 110kV overhead line to loop-in the proposed substation instead of an underground cable. The prospective applicant said that this design change will involve the construction of two new lattice towers and approximately 50 metres of overhead line.

Given the transmission aspect of the proposed development, the prospective applicant acknowledged that, as per ABP-301646-18, the proposed development would likely constitute strategic infrastructure development.

The prospective applicant stated that it intended to respond to the request for further information from Meath County Council and submit a SID application for the substation and grid connection to the Board (if required) after this. A joint EIAR to cover all of the elements (ie solar farm, battery storage, substation and grid connection) is proposed.

## Discussion:

The Board noted that a similar proposal had been the subject of a pre-application consultation process under ABP-301646 and that the planning and environmental considerations previously highlighted equally apply. The following matters were discussed:

- **Preliminary View:** It is the preliminary view of the Board's representatives that the proposed development does constitute strategic infrastructure development necessitating a direct application to the Board.
- **Environmental Impact Assessment:** The Board's representatives enquired as to why the local authority had requested the preparation of an EIAR as part of its further information request. The prospective applicant replied that the hydrological connectivity between the subject site and the River Boyne was the reason for this. It confirmed to the Board that the proposed solar farm does not appear to be of a class which would ordinarily require the preparation of an EIAR. The prospective applicant confirmed that the completed EIAR will include a paragraph with regard to cumulative effects under each of its headings. The Board advised that each of the factors of the environment should be examined separately in relation to (a) the substation and grid connection alone, and then (b) cumulatively with the proposed solar farm/ battery storage facility.

The Board also requested that a schedule of all proposed mitigation and monitoring measures be included in the EIAR.

- **Appropriate Assessment:** The Board note that a NIS is being prepared and advised that it should examine the in-combination effects with the solar farm/battery storage elements as well as any other relevant plans and projects.
- **Procedural Issues:** The Board advised the prospective applicant of its current practice to hold SID applications of this type in abeyance to see if any planning appeals are lodged against the solar farm application. In such instances the appeal and SID application would be assessed concurrently. It advised the prospective applicant to lodge the SID application in or around the time of the expected decision from the local authority so as to ensure that all

information included is current and representative of the up-to-date position with respect to planning and ecological assessments. The prospective applicant noted this and said that it expects a decision on the planning application circa November 2019.

With respect to the EIAR Portal, and notwithstanding the further information response to Meath County Council (which will involve the production of an EIAR), the Board advised the prospective applicant that it will be obliged to furnish the relevant receipt from the Department as part of the SID application.

### **Conclusion:**

The Board said it considered that there will be no requirement for further meetings on this particular pre-application consultation case. It advised the prospective applicant that the record of the instant meeting will issue shortly and it can submit any comments it may have on this in writing; thereafter, the prospective applicant can make a decision as to when it wishes to request formal closure to the pre-application process. The Board's representatives said that a SID decision could then be expected within a period of approximately four weeks.

The prospective applicant signalled its intention to lodge the SID application prior to the end of 2019.

The procedures for the making of a planning application to the Board are attached.

---

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

## **Application Procedures:**

The procedures for the making of a planning application to the Board are 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 Board also drew the prospective applicant's attention to the fact that the EU (Planning and Development) (EIA) Regulations 2018 requires applicants to register EIA development on a central portal on the Department of Housing, Planning and Local Government's website prior to lodging an application for planning permission. An acknowledgement from the Department in this latter regard will be required to accompany the planning application to the Board.

**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 (Meath 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.