



An
Bord
Pleanála

Inspector's Report ABP-303611-19

Development	Battery energy storage system (BESS)
Location	Ballykenny, Co. Longford.
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	18157
Applicant(s)	Low Carbon Storage Ireland Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant(s)	Low Carbon Storage Ireland Ltd.
Observer(s)	Carmel McCormack.
Date of Site Inspection	12 th April 2019.
Inspector	Karen Kenny

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1.0 Site Location and Description

- 1.1. The site is located in the rural townland of Ballykenny, Co. Longford. It is approximately 3.5 km north west of Longford Town and adjacent to the Richmond electricity substation (100-kV).
- 1.2. The site, with a stated area of 0.41 hectares, is located in the south western section of a larger agricultural field and at a distance of 120 metres (approx.) from the public road. The energy storage facility will be contained within a rectangular compound and will be accessed via a proposed access road.
- 1.3. The rural lands surrounding the site slope down gently from east to west and the facility would occupy a relatively low-lying field. There is tree and hedge planting along the roadside and field boundaries in the area. Agriculture is the predominant land use and there are residential properties and farmyards along the rural road network. The closest residential properties are c. 200 metres from the site (north and south).

2.0 Proposed Development

- 2.1. The development as described in the public notices consists of a battery energy storage system to include:
 - 1 no. single storey electrical substation building;
 - 1 no. customer switchgear container;
 - 9 no. electrical inverter / transformer station modules;
 - 6 no. containerised battery storage modules on concrete support structures;
 - 12 no. heating, ventilation and air conditioning units,
 - Access tracks and upgraded site entrance, associated electrical cabling and ducting, security gates, perimeter security fencing, CCTV security monitoring system, landscaping works and all associated ancillary infrastructure.
- 2.2. The application was accompanied by the following:
 - Planning Statement
 - Design and Access Statement

- Environmental Report
- AA Screening Report
- Noise Assessment
- Drainage Impact Assessment and Surface Water Drainage Strategy
- Archaeological, Architectural and Cultural Heritage Impact Assessment
- Construction and Traffic Management Assessment
- Decommissioning Method Statement
- Lithium Ion Battery Energy Storage System Fires – Presentation.
- Landowner Consent.

2.3. The further information response included a Design Stage Fire Risk Assessment prepared by CMSE Consultancy.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Refuse permission. The reasons for refusal are as follows:

1. The Planning Authority are not satisfied that the proposed development, given its nature and the lack of fire safety information as requested, would not give rise to the risk of an explosion and / or fire hazard and pose a significant threat to public health, adjoining communities and power supply. The proposed development would, if permitted, therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development and the lack of specific fire safety information could have a detrimental impact on the residential, agricultural and natural amenity of the area. As such it would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The initial Planner's Report concludes that the proposed development is consistent with national, regional and local planning policies; that the proposed development will not have a significant environmental impact, no significant impact on Natura 2000 sites and a negligible impact on the surrounding landscape. Further information was requested in relation to issues raised in the report of the Chief Fire Officer in relation to risk of explosion and fire hazard and in the report of the Area Engineer in relation to sightlines.
- Following receipt of further information, clarification of further information was sought in relation to issues raised in the report of the Chief Fire Officer. Following receipt of the clarification the Planner's Report recommends that permission be refused on the basis of risk of explosion and fire hazard.

3.2.2. Other Technical Reports

Area Engineer: No objection.

Chief Fire Officer: Recommends Refusal. The memo following receipt of clarification of further information states that the Fire Authority is concerned that the proposed development could have disproportionate consequences on the community at large in the event of a serious emergency and hoped that the applicant could have demonstrated that suitable measures would be provided in the development to alleviate such concerns. It is noted that a serious explosion in the proposed development could release a toxic cloud to the adjoining area and due to its proximity to a substation damage power supply to the wider community.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

- 4.1.1. There is no recent planning history pertaining to the appeal site. The following history relates to the adjacent substation:

PA Ref. 04/716: Permission granted for a 110-kV overhead electricity line from a 110-kV substation at Lanesboro to the 110-kV substation at Richmond.

PA Ref. 03/196: Permission granted for an extension to the existing 110-kV substation at Richmond to include a second transformer and associated high voltage equipment.

5.0 Policy and Context

5.1. European Policy

EU Directive 2009/28/EC – Energy from Renewable Resources sets a target of 20% of EU energy consumption from renewable sources and a 20% cut in greenhouse gas emissions by 2020. As part of this Directive, Ireland’s legally binding target is 16% energy consumption from renewable sources by 2020. Ireland has set a non-legally binding target of 40% of renewable energy share for electricity by 2020 (from a 2012 position of 19.6%).

5.2. Irish Energy Policy

Ireland’s Transition to a low carbon Energy Future 2015-2030.

The white paper on energy policy (Department of Communications, Energy and Natural Resources – Dec 2015) provides an energy policy update for Ireland. It sets out a vision to reduce greenhouse gas (GHG) emissions by between 80% and 95% by 2050, compared to 1990 levels, falling to zero or below by 2100.

Strategy for Renewable Energy, 2012 – 2020.

This Strategy reiterates the Government’s position that ‘the development and deployment of Ireland’s abundant indigenous renewable energy resources, both onshore and offshore, clearly stands on its own merits in terms of the contribution to

the economy, to the growth and jobs agenda, to environmental sustainability and to diversity of energy supply’.

National Renewable Energy Action Plan (NREAP).

The NREAP was submitted to the European Commission in 2010. It sets out Ireland’s approach to achieving legally binding targets, with a target of 40% of electricity consumption to be from renewable sources by 2020. A forth progress report on the NREAP was submitted to the European commission in February 2018 which detailed an installed capacity of wind power and solar power in electricity generation of 2,827MW and 5.93 MW respectively (Table 1.b).

5.3. National Planning Framework (NPF), Government of Ireland, 2018

The National Planning Framework (NPF), is the overarching national planning policy document. The transition to a low carbon and climate resilient society is one of ten National Strategic Outcomes (NSO’s) for the NPF. The framework notes that in the energy sector, transitioning to a low carbon economy from renewable sources of energy is an integral part of Ireland’s climate change strategy. National Policy Objective no. 55 is “to promote renewable energy use and generation at appropriate locations within the built and natural environment”. It is also an action of the NPF under NSO no. 8 to “reinforce the distribution and transmission network to facilitate planned growth and distribution of a more renewables focused source of energy across the major demand centres”.

5.4. Development Plan

The Longford County Development Plan 2015-2021 is the relevant statutory plan. The site is located in a rural area outside of a designated settlement. The following objectives of the Development Plan are considered to be relevant:

- EC 1: To facilitate the provision, upgrading and maintenance of electricity infrastructure within the County subject to meeting the relevant development management standards and subject to demonstration of the following:
- The development is required in order to facilitate the provision or retention of significant economic or social infrastructure.

- The route proposed has been identified with due consideration for the social, economic, environmental and cultural impacts.
- Where impacts are inevitable mitigation features have been included subject to Appropriate Assessment.
- Where it can be shown that the proposed development is consistent with international best practice.

RE1: The Council shall prepare, where resources permit, a Renewable Energy Strategy for the County which will support the development of renewable energy production and ancillary facilities in order to enhance the sustainability of the County, promoting a low carbon economy and lifestyle.

RE2: The following criteria shall be used in the assessment of potential sites for the development of alternative energy sources:

- Significant wind energy potential.
- Accessibility to the national grid.
- Suitability of the site having regard to land uses.
- Measures to minimise impact on other development.

5.5. Natural Heritage Designations

None.

5.6. EIA Screening

The proposed development is not of any type included in Schedule 5 of the Planning and Development Regulations 2001 (as amended), i.e. development for which mandatory EIA is required nor is it integral to any project that is of a type included in Schedule 5. EIA can therefore be screened out.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first party appeal has been received in respect of the decision of the Planning Authority to refuse permission. The ground of appeal can be summarised as follows:

- The applicant made significant efforts to provide the PA with information on fire safety.
- A disproportionate amount of information was sought. The details sought are more in line with that required for a higher risk facility, such as a petrol storage facility, gas plant or chemical processing or storage facility.
- The development falls outside of requirements for SEVESO and for Control of Major Accident Hazards involving Dangerous Substances. The information sought is similar to what would be required in these instances.
- Important to benchmark against decisions made by An Bord Pleanála and other planning authorities (list of relevant cases set out) that have been granted without the level of detail requested by the PA.
- Specific reference to a similar application made by the applicant to Roscommon County Council. Following an initial request for a fire and explosion assessment it was accepted that the level of information was sufficient. Permission was subject to a condition stating that “prior to the commencement of development, the applicant / developer shall liaise with the Roscommon County Council Chief Fire Officer to formulate and agree a fire safety management plan for both the construction and operational phases of the development. The appellant considers the approach to be proportionate.
- The proposed development represents a temporary land use with negligible environmental impacts. The proposal is compliant with national policy detailed in the Government’s White Paper “Ireland’s Transition to a Low Carbon Energy Future 2015-2030” and is supported by key economic and environmental policies contained within the Longford County Development Plan.

6.2. Planning Authority Response

None.

6.3. Observations

An observation has been received from a third party. The issues raised, that are relevant to the appeal, can be summarised as follows:

- Support decision of the PA to refuse permission and request the Inspector and the Board to uphold the decision. Requested that the Board refer to details outlined in other similar appeals that are before the Board (ABP-303718-19, ABP-302397-18, 302055-18, 303821-19) and adopt the precautionary principle.
- Not possible to fully assess the potential negative impacts of the proposed development on the immediate surrounding / receiving environment and all of the possible wider socio-economic and environmental impacts in the absence of internationally recognised safety standards for BESS, Government Guidance, SEA (of BESS in Ireland, electricity grid system, NREAP), comprehensive cost benefit analysis, technical feasibility study, health and environmental impact analysis, risk / hazards assessment, poverty impact assessment, cumulative impact assessment, EIS, NIS, EIA, AA etc.
- BESS in the Republic of Ireland should be assessed individually and cumulatively for Major Accidents Hazards.
- Carbon footprint of the proposed BESS should be assessed from mining for raw materials through to the decommissioning and recycling / waste disposal.
- BESS will waste c. 50% of the primary energy before it reaches the end user and will increase carbon emissions.
- Batteries have a c. 5-year life cycle so recycling / waste disposal is likely to take place every 5 years.
- BESS have low storage capacity and for a short time and are being proposed to provide grid frequency control, to balance an electricity grid system that has been destabilised by intermittent renewable wind energy. Doubtful if the installations will be able to provide reliable grid frequency control. Service to be provided questionable.
- Risk of damaged or faulty battery cells and of auto combustion and thermal runaway at temperatures of up to 500°C rising to 1000°C, causing fires, explosions, release of toxic gases and chemicals. External risks include electricity power outages, HVAC fans bellowing up etc.
- Reference to video of Dr. Fred Udo nuclear physicist retired from CERN and view that industrial storage batteries may only last for c. 18 months before

requiring replacement. Reference to capacity of batteries and scale of batteries required. Reference to Irish Times article on higher capacity batteries.

6.4. Further Responses

6.4.1. The applicant has submitted a response to the observation received. Issues raised in the further response, that are additional to those raised in the appeal, can be summarised as follows:

- The applicants suitably qualified technical advisor, Chirs Mee Safety Engineering Consultant concluded that the risk of fire and explosion from the proposed development is negligible and that an Explosion Protection Document is not required for the facility. The PA failed to acknowledge the findings of the report. National precedence that such detail is not required in order to obtain planning permission.
- The development is one of the smallest commercial BESS developments for which permission has been sought in Ireland.
- Information in relation to chemical / gases (referred to by Chief Fire Officer) was not requested by the Council. The submission includes 'Fire Detection and Suppression Systems for Typical BESS' and 'Lithium Ion Battery Safety Information'.

6.4.2. The observer has submitted a further response. Issues raised, that are additional to those raised in the observation, can be summarised as follows:

- Proposed fire suppression system does not allay concerns in relation to fire and explosion, risk of toxic contamination and health and safety risks.
- The critical temperature for lithium ion thermal runaway is just over 61°C. If the battery is not cooled before reaching 75°C it is likely to burst into fire with temperatures reaching 1100°C (approx.). Technologies for extinguishing such fires are just being developed.
- Request the Board to consider concerns raised in respect of similar developments under ABP Ref's. ABP-303718-19 and ABP-303821-19 in relation to risks of fires and explosions and toxic contamination of receiving

environment. This includes the 'cumulative' potential negative impact of all proposed BESS type developments in Ireland.

- Capacity of facility not referenced in public notice.
- Reference to explosions and fires at facilities in Belgium and Arizona (inc. extracts from newspaper article). Reference to fire at Oxford University where interim report cites lithium battery or device containing one as the cause.
- Recent grants of permission by ABP for BESS facilities is reckless planning. There will be a major enquiry should a Major Hazards Accident Event occur at any of the proposed BESS's that have or may be granted permission.
- Extract from AIG Insurance 2018 Report on Battery Energy Storage Systems included.

7.0 Assessment

7.1.1. It is considered that the main issues to be addressed are as follows:

- Principle of Development
- Risk of Fire and Explosion
- Landscape and Visual Impacts
- Residential Amenity
- Movement and Access
- Other Matters Arising

7.2. Principle of Development

7.2.1. The proposed development relates to a Battery Energy Storage System (BESS) comprising 6 no. battery units and associated equipment on lands in the rural townland of Ballykenny, Co. Longford.

7.2.2. The facility would be used to collect and store energy and discharge it back to the grid in order to balance supply and demand fluctuations. Storage facilities such as this are used to address grid stability issues arising from the intermittent nature of renewable energy generation (wind and solar). The facility is located adjacent to the existing Richmond 110kv substation and the submitted details states that it will

connect into the national grid at this location. The project has a projected lifetime of c.30 years.

- 7.2.3. Renewable energy development is supported 'in principle' at national, regional and local policy levels, with collective support across government sectors for a move to a low carbon future and an acknowledgement of the need to encourage the use of renewable resources to reduce greenhouse gas emissions and to meet renewable energy targets set at a European Level. National Policy Objective no. 55 of the National Planning Framework is "to promote renewable energy use and generation at appropriate locations within the built and natural environment". It is also an action of the NPF under National Policy Objective no. 8 to "reinforce the distribution and transmission network to facilitate planned growth and distribution of a more renewables focused source of energy across the major demand centres". At a local level Objective EC1 of the Longford County Development Plan 2015-2021 (Section 5.5) supports the provision, upgrading and maintenance of electricity infrastructure within the County.
- 7.2.4. I would note that the proposed development is located on agricultural lands that are outside of a designated settlement. There is no national guidance in relation to the location of grid energy storage facilities. Although national policy seeks to increase agricultural productivity, the scale of the proposed facility is such that it would not be likely to compromise this strategic objective. Furthermore, the facility is located adjacent to an existing electricity substation where it can connect into the national grid.
- 7.2.5. The proposed development will support the use of energy generated from renewable sources. There is policy support for this type of development at national, regional and local policy levels and I am satisfied that the proposed development is suitably located and is acceptable in principle.

7.3. Risk of Fire and Explosion

- 7.3.1. The grounds of appeal relate to the decision of the Planning Authority to refuse permission for reasons relating to fire hazard and risk of explosion. The reasons for refusal relate to issues raised in the report of the Chief Fire Officer. The reasons state that due to a lack of fire safety information (as requested), the Planning Authority is not satisfied that the proposed development would not give rise to the risk of an explosion and / or fire hazard and potential impacts on public health,

communities, power supply and amenity. The third-party observer also raises concerns in relation to health and safety and environmental issues arising from the risk of fire and explosion, as detailed in Section 6.0 above.

- 7.3.2. The grounds of appeal argue that the amount of information sought by the Planning Authority in relation to risk of fire and explosion is disproportionate and more akin to a higher risk facility. The appeal submission refers to permissions granted for other similar developments without the level of information sought in this instance. The details submitted to the Planning Authority at further information stage included a Design Stage Fire Risk Assessment Report. This Report concludes that potential fire impacts can be adequately controlled and that in the event of fire there is minimal potential for fire spread due to the design of the containers and separation between them, the use of an automated fire suppression system and the minimal storage of flammable material. I would note that the proposed development falls outside of the provisions of the Seveso Regulations and the Control of Major Accident Hazards involving Dangerous Substances Regulations.
- 7.3.3. While I note the concerns raised in the reports of the Chief Fire Officer and by the observer, a development of the type proposed would require a Fire Certificate under the Building Control Regulations. Compliance with fire safety requirements is, therefore covered under a separate, parallel, regulatory requirement and is not a material consideration under the current planning process. In this regard, I am cognisant of the guidance set out in the Development Management Guidelines (DEHLG, 2007) in relation to matters that are the subject of more specific controls under other legislation. The guidelines state that it is not appropriate to deal with such matters as part of the development management process (Section 7.8 refers).

7.4. Landscape and Visual Impacts

- 7.4.1. The Landscape Character Assessment for County Longford is set out in Annex 4 of the Development Plan. The proposed development would be located within Landscape Character Area 6 Peatlands. The visual sensitivity of the landscape is described as low.
- 7.4.2. The battery storage compound is contained in a rectangular area of approximately 95 metres by 35 metres (approx.) and is set back by c. 120 metres from the public road. It would contain 6 x battery container units, 9 x inverter/ transformer units, a

single storey sub-station, a customer switchgear container and pole mounted CCTV security cameras (c.2.5m high). All ducting and cabling would be underground. Structures range in height from c. 2.5 metres to 3.5 metres and would be screened by a 2.4-metre-high palisade security fence and proposed hedging on the northern, eastern and western sides.

- 7.4.3. The rural landscape surrounding the site slope down gently from east to west and the facility would occupy a relatively low-lying site. The landscape is agricultural in character with housing and farmyards along the local road network and a 110kV electricity substation and associated overhead lines in the immediate vicinity of the site. The Environment Report submitted with the application states that landscape changes locally will be minor and that there would be no change within the wider area. I would concur with this view. The compound would be screened in its lower sections by existing and proposed planting and I am satisfied that the development would not represent a significant landscape or visual obtrusion.

7.5. Residential Amenity

- 7.5.1. The proposed development is approximately 200 metres from the closest residential properties to the north and south of the site. The development would not, therefore, have any adverse impact on the amenities of the neighbouring houses due to overshadowing or visual impacts because of the substantial separation distances.
- 7.5.2. Furthermore, no artificial lighting is proposed, nor should lighting be installed or operated on site without a prior grant of planning permission. I am satisfied that the proposed CCTV cameras would not impact on the amenities of properties in the vicinity, so long as they are fixed and angled to face into the site and not directed towards the road or nearby houses. These issues can be addressed by way of a planning condition.
- 7.5.3. The contents of the applicant's Noise Assessment Report are noted and I am of the view that the level of noise generation arising from the development would not result in undue disturbance. In the event that the Board is minded to grant permission I recommend that a noise control condition is attached to ensure that the amenities of the nearby houses or other noise sensitive locations are not disturbed during the construction or operational phases of the development.

7.6. Movement and Access

- 7.6.1. The proposed development would be located along a local county road (L1002) and is adjacent to the entrance to an existing 110kv substation. The adjacent substation and several agricultural and residential sites have direct access to this road.
- 7.6.2. The site will be accessed from the L1002 via an existing agricultural access that will be upgraded to accommodate HGV traffic. The application was accompanied by a Construction and Traffic Management Report and a Design and Access Statement. The Construction and Traffic Management Report includes a Swept Path Analysis of the site, a Visibility Splay drawing of the entrance which indicates the provision 90 m sightlines to the north and south, and details of the HGV delivery route from Dublin Port via the N5, N4 and M50. Further details submitted at further information stage indicate the provision of 160m sightlines. The reports state that the construction/installation phase would take c.10 weeks with 38 HGV (76 x 2-way) movements anticipated (1 to 2 per day) during normal working hours, and that c.20 construction workers will be employed. The report states that the facility will require between 10 and 20 site visits per year during the operational phase. The applicant's Decommissioning Method Statement states that traffic movements during the decommissioning phase will be similar to the construction/installation phase.
- 7.6.3. Having regard to the predicted levels of traffic generation during the construction, operational and decommissioning phases, I am satisfied that the proposed development is acceptable in terms of traffic safety and the protection of the rural character of the area. In the event that the Board is minded to grant permission, I recommend that a condition is included requiring a detailed traffic management plan to be prepared and agreed with the planning authority in advance of any works.
- 7.6.4. The effects of construction traffic on the operation of the L1002 would be acceptable given the limited duration of the works (c.10 weeks). Having regard to the nature and scale of the proposed development along with the remote monitoring and infrequent maintenance visits, I am satisfied that the proposed development would not give rise to a significant increase in vehicle movements during the operational phase.
- 7.6.5. Having regard to the above, I am satisfied that traffic generated during the construction, operational and decommissioning phases would not give rise to a traffic hazard or endanger the safety of other road users.

7.7. Other Matters Arising

Drainage

- 7.7.1. In relation to the management of surface water runoff, I am satisfied having regard to the nature and scale of the proposed development that the proposed drainage arrangements are adequate, subject to compliance with the requirements of the planning authority. I would recommend in the event of a grant of permission that a bunded enclosure is provided around the hard surface area to ensure the containment of run-off in the event of contamination.

Archaeology and Architectural Heritage

- 7.7.2. There are no features of interest within the site or landholding, however, there are features of archaeological interest and 3 no. protected structures in the wider area. I am satisfied that there would be no impact on the protected structures due to the nature and scale of the proposed development and the level of visual separation. The submitted Archaeological, Architectural and Cultural Heritage Report recommends that development on the site is subject to archaeological monitoring. I consider that archaeological supervision of works is warranted due to the extent of known features in the area, and that this would be sufficient to mitigate any potential impacts on archaeology. I recommend that a standard monitoring condition is attached in the event of a grant of permission.

Cable connection

- 7.7.3. It is intended to connect the proposed facility to the adjacent 110kv substation by way of an underground cable and indicative details have been provided.

Decommissioning

- 7.7.4. The Decommissioning Method Statement states that the site will be fully decommissioned, the land reinstated to agricultural use, and the batteries will either be repurposed or recycled.

Other Issues

- 7.7.5. The concerns raised by the observer in relation to carbon footprint, energy loss, storage capacity and battery life are noted, however, these are not matters for consideration under the current planning process. The concerns raised by the observer in relation to public notices are noted, however I am satisfied that the

notices describe the nature and extent of the development and are sufficient to alert third parties to the development, in accordance with the requirements of the Planning and Development Regulations.

7.8. Appropriate Assessment

7.8.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) requires that any plan or project not directly connected with or necessary to the management of a European site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

7.8.2. The application was accompanied by a Stage 1 AA Screening Report. The screening report describes the statutory context, the project, the site, zone of influence and potential impacts. The Report concludes that there will be no direct, indirect or in-combination effects on the qualifying interests of Natura 2000 sites from the project and no significant impacts on the conservation objectives of any Natura 2000 sites and that AA of the of the potential impacts on the integrity of Natura 2000 sites is not required.

AA Screening Assessment

7.8.3. The proposed development is not within a European site and the works are not relevant to the maintenance or management of any such sites. The following European sites are located in the vicinity of the site:

European Site	Site Code	Relevant QIs & CIs	Distance
Brown Bog SAC	2346	*active raised bogs, degraded raised bogs, rhynchosporion depressions.	c.650 m south.
Louth Forbes Complex SAC	1818	natural eutrophic lakes, *active raised bogs, degraded raised bogs, rhynchosporion depressions, *alluvial forests.	c.1.9 km north west.

Ballykenny – Fisherstown Bog SPA	4101	Greenland White-fronted Goose.	c. 1.0 km north – west.
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*denotes priority habitat or species.

- 7.8.20. The construction phase of the proposed development would comprise site preparation works, the construction of an internal access road, the installation of the grid energy storage facility and related structures and works in the vicinity. There would be moderate site clearance and excavation works and I would note that there are no watercourses immediately adjacent to the site. Adherence to best practices methodologies during the construction phase would control the release of sediments to surface water and prevent surface and ground water pollution as a result of accidental spillages and leaks.
- 7.8.21. There is no hydrological connectivity between the site and any European sites. In terms of ecological connectivity, the Screening Report notes that Greenland White-fronted Geese flocks that are a qualifying interest of the Ballykenny – Fisherstown SPA have in recent times typically foraged in agricultural grasslands around Lough Forbes and Lough Kilglass. Given the distance between the lakes and the proposed site (c.2.5 km) it is considered unlikely that the Geese flocks use the appeal site and, in the event that they do periodically use the site there is ample substitute feeding habitat in the immediate vicinity. It is therefore reasonable to conclude that there will be no impact arising from the loss of grassland at this location. As there are no potential for impacts on Natura 2000 sites there is no potential for in combination impacts with other plans and projects.
- 7.8.22. The operational phase of the proposed grid energy storage facility would be relatively benign with no adverse effects anticipated. There is no potential for cumulative impacts in-combination with other plans and projects in the surrounding area, having regard to the contained nature of the works.
- 7.8.23. Having regard to the nature and scale of the proposed development, and the absence of habit of conservation significance and aquatic connection to European sites, and taking account of the separation distance to the nearest European sites and to the nature of their qualifying interests and conservation objectives, it is my opinion that the proposed development, subject to compliance with best construction practices, does not have the potential to affect the European sites or their conservation objectives.

AA Screening Conclusion

7.8.24. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 002346, 001818 and 004101, or any other European site, in view of the site's Conservation Objectives, and that a Stage 2 Appropriate Assessment is not therefore required.

8.0 Recommendation

I recommend that planning permission should be granted for the proposed development for the reasons and considerations set down below, and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to the provisions of the Longford County Development Plan 2015 to 2021, and to the nature, and scale of the proposed development, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and the further information received by the planning authority on 28th September 2018, 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 permission shall be for a period of 25 years from the date of the commissioning of the grid energy storage facility. The grid energy storage facility and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

Reason: To enable the planning authority to review the operation of the grid storage facility in the light of the circumstances then prevailing.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

4. Prior to commencement of development, a bunded area or other provisions for the emergency containment of run off from the site in the event of the accidental spillage of contaminants, shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of pollution control.

5. The storage structures shall be dark green in colour. The external walls of the proposed substation and switch room shall be finished in a neutral colour such as light grey or off-white; the roof shall be of black tiles.

Reason: In the interest of the visual amenity of the area.

6. The developer shall comply with the following technical requirements:
 - a. No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
 - b. CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
 - c. Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level.
 - d. Cables within the site shall be located underground.

Reason: In the interest of clarity, of visual and residential amenity, traffic safety, and to allow wildlife to continue to have access to and through the site.

7. The developer shall comply with the following landscaping requirements:

- a. Existing field boundaries shall be retained and new planting undertaken in accordance with the landscaping details submitted with the application.
- b. All landscaping shall be planted to the satisfaction of the planning authority prior to commencement of development. Any trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from planting shall be replaced within the next planting season by trees or hedging of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of biodiversity, the visual amenities of the area, and the amenities of dwellings in the vicinity.

8. The developer shall comply with the following restoration requirements:

- a. Prior to commencement of development, a detailed restoration plan, including a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
- b. On full or partial decommissioning of the grid energy storage facility, or if the facility ceases operation for a period of more than one year, the site shall be restored and structures removed in accordance with the said plan within three months of decommissioning/cessation, to the written satisfaction of the planning authority.

Reason: To ensure the satisfactory reinstatement of the site on full or partial cessation of the proposed development.

9. During the construction stage, all topsoil stripping and ground works associated with the proposed development shall be subject to full time archaeological monitoring by a suitably qualified archaeologist under licence from the Department of Culture, Heritage and the Gaeltacht. Provision shall be made for the resolution of any archaeological features or deposits that may

exist within the site.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

12. The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

13. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of a traffic management plan, intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

14. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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.

15. 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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.

Karen Kenny
Senior Planning Inspector
9th May 2019