



An
Bord
Pleanála

Inspector's Report

ABP-306396-20

Development

10-year permission for a 110kV electrical substation and associated 110kV infrastructure required to connect a solar farm to the existing Mullingar to Kinnegad 110kV overhead line and associated ancillary site development works.

Location

Townland of Hightown or Balloughter, Co. Westmeath.

Planning Authority

Westmeath County Council

Applicants

JBM Solar Developments Limited

Type of Application

Strategic Infrastructure Case

Observer

Ronan Brennan

Date of Site Inspection

26th May 2020

Inspector

Dolores McCague

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1.0 Introduction

- 1.1.1. An application has been made directly to the Board pursuant to the provisions of Section 182B of the Planning and Development Act 2000 (as amended) for the development of an 110kV electrical substation and associated 110kV infrastructure required to connect ground-mounted solar PV generation to the electricity transmission line near Milltownpass Co. Westmeath.
- 1.1.2. The applicant entered into pre-application discussion with the Board, as provided for in Section 182E of the Act, on 18th December 2018. The Board issued a Direction in November 2019 advising the prospective applicant that the development is Strategic Infrastructure coming within the scope of Section 182A of the Act. The current application before the Board is made on foot of that Direction.

2.0 Site Location and Description

- 2.1.1. The site is located c. 2.9km north east of Milltownpass village in Co. Westmeath. It comprises part of a larger application site extending to c. 260 ha, which is spread across separate blocks of land in the townlands of Clonfad, Enniscoffey or Caran, Hightown or Ballyoughter, Lowtown or Balleighter, Pass of Kilbride and Rattin; and in respect of which there is an appeal before the Board (305992) against the decision of Westmeath County Council to grant planning permission for a utility scale solar energy generation development with a stated generating capacity of 100MW.
- 2.1.2. The site is traversed by a 110kV overhead line (OHL).
- 2.1.3. Lands in the area are in agricultural use with flat or gently undulating landforms, and hedgerows delineating field boundaries. In addition to agricultural lands, there are large tracts of bog land and some areas of conifer plantation.
- 2.1.4. There is a former quarry at the eastern field boundary and in the field to the east there is a ringfort (site code WM027-065) named Knockmore on historic maps. The western field boundary adjoins the Kinnegad River.
- 2.1.5. The site comprises two portions: adjoining the road along with a new access, is an area which will be developed as a temporary compound for the construction of the substation and solar farm, and subsequently, as part of the solar farm development,

solar panels will be erected. Further back from the road is the proposed substation location.

2.1.6. The front, roadside boundary comprises a clay ditch and hedge; trees along the roadside boundary have been cut down.

2.1.7. The site is given as c. 3.5 ha.

3.0 Proposed Development

3.1.1. The proposed development comprises the construction of a 110kV substation and associated electrical plant and connection to the adjacent Mullingar – Kinnegad 110kV transmission line.

3.1.2. The substation and ancillary equipment will be built to Eirgrid/ESBN requirements. The development will comprise a substation compound, divided into two adjoining sections: an Eirgrid section and an IPP (Independent Power Producer) section, separated by a 2.6m high palisade fence.

3.1.3. In each section a control building is provided with toilet facilities; a single foul waste holding tank, located within the IPP section, serves both.

3.1.4. The substation compound will include 2 buildings: an Eirgrid building comprising control room, battery room, generator room, meeting room, and workshop/store (c450sqm); and an IPP building comprising control room, switchgear room and store room (c110sqm). The compound will include lightning protection masts, perimeter security fencing, security lighting, drainage infrastructure and associated works. The grid connection will comprise 2 No. 110kV cable end masts and an overhead line to gantry within the substation compound; and associated site development works. Access to the site will be from the L1007 to the south.

3.1.5. The substation compound is rectangular, c124.5m by c105m, and is enclosed by 2 fences: an outer concrete post and rail fence 1.4m high and an inner metal palisade fence c2.6m high. The palisade fence will be earthed at every second post. The fencing is required to provide for public safety and the security of the substation compound.

3.1.6. To the south-west and north-east of the substation compound, 2 no. cable end masts are provided to link to the existing Mullingar 110kV – Kinnegad 110kV OHL. The

cable end masts extend to c21m in height but will be sized according to the existing OHL. These masts are latticed metal structures set on a concrete base. Lines from the masts will connect back to the electricity infrastructure within the Eirgrid Compound.

The construction of the substation is expected to take place over the course of a year.

The application is accompanied by:

Planning & Environmental Report

Ecological Impact Assessment

Screening Assessment

Flood Risk Assessment

Landscape & Visual Impact Assessment

Traffic Technical Note

Landowner Consent

3.1.7. Planning & Environmental Report

The Planning & Environmental Report includes a summary of Planning Policy and notes issues arising under other headings. It includes in appendix D, 'Noise Impact of proposed Solar Farm at Clonfad Co Westmeath' prepared as part of the planning application for the Solar PV development and the response to request for FI on Noise Impact; and at Appendix E: 'Archaeological Assessment of Clonfad Solar', prepared as part of the planning application for the Solar PV development.

It notes that the Archaeological Assessment carried out for the Solar PV development included the subject site and that WCC attached a condition of permission with regard to Archaeology that requires pre-commencement investigation of a number of sites identified in the Archaeological Assessment, including the substation site. This is predominantly due to the location of a ringfort to the east of the site outside the application boundary and located in an adjoining field under separate ownership; and that they would be happy to accept a similar condition in relation to the subject development.

It provides a justification as to why EIAR is not required: per part 1 class 20 and part 2 class 3 (a) and (b). It is not of a type of development currently listed in either part 1 or part 2 of schedule 5 of the Regulations. There is no mandatory requirement for EIA of this development. In arriving at this conclusion, they have considered the 'whole-project' including all secondary, ancillary/ subsidiary elements essential to the construction and operation of the main project (ref O'Grianna v An Bord Pleanála). This includes consideration of the provision of the Solar PV development (as permitted by Westmeath County Council under Reg Ref 19/6168). When considered either alone or in combination, the proposed development does not generate the need for a mandatory EIA.

In accordance with Schedule 7A of the Regulations – a screening assessment, responding to each item in the schedule, concludes that no significant effect is likely and therefore that EIAR is not required. They find that the proposed development will be overwhelmingly beneficial in terms of connecting a renewable energy project to the national grid and is in accordance with the proper planning and sustainable development goals.

Appendixes include Appendix D, Noise Impact and Appendix E, Archaeological Assessment.

3.1.8. Noise Impact of proposed Solar Farm at Clonfad Co Westmeath,

The Noise Impact, includes: for the substation there is extensive literature evidence to support a conclusion that noise levels will not exceed the levels that might cause nuisance at night time, provided a buffer distance is maintained between the closest boundary and the substation. A significant buffer distance, of almost 400m, between the substation and the closest residence ensures that the noise levels at the receptor are below 40dB(A) at all times.

3.1.9. Archaeological Assessment of Clonfad Solar

The Archaeological Assessment includes: blocks ACDE (field inspections carried out 20th and 21st June 2018). This site is within block B where a field inspection was carried out 28th August 2018. The majority of the block consisted of gently undulating land bordered by mature vegetation in use for grazing. The ringfort (WM027-065) borders the block to the east.

- Mitigation – a programme of geophysical survey should be carried out in the fields containing the recorded monuments and potential features identified (elsewhere in the solar farm site) on aerial photography (as illustrated on Figure 8) in order to establish the nature and extent of potential archaeological features.
- Following completion of the geophysical survey, archaeological testing should also be carried out in these areas. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in - situ or by record.
- It is recommended that all ground disturbances associated with the proposed development be monitored by a suitably qualified archaeologist. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in - situ or by record. Any further mitigation will require approval from the National Monuments Service of the DoCHG.

3.1.10. Ecological Impact Assessment

The Ecological Impact Assessment, includes:

The current land use on and in the immediate vicinity of the substation site is improved agricultural grassland (GA1) and hedgerow (WL1).

The Milltownpass Bog NHA is 0.4km distance. To the west is the Kinnegad stream, of moderate status and at risk of deteriorating. It flows southeast to the Kinnegad River, a tributary of the River Boyne.

The substation and ancillary equipment will be built to Eirgrid / ESNB requirements. The substation will be transferred to Eirgrid upon completion and will become part of the transmission network.

The facility will not be lit at night.

The electrical compound will be surfaced with permeable crushed stone and the drainage on the site will mainly percolate to ground. A storm-water pipe will be installed to collect runoff in the vicinity of the buildings, running around the perimeter and discharging to the adjoining watercourse.

An outline CEMP has been completed for the permitted solar development which includes the substation development. Construction works will be carried out

according to best practice regarding standard environmental protection. Enabling works for the substation development will take place over a 13 week period with a temporary construction compound being established within the application site for the duration of construction, overall construction phase 12 months.

Figure 1.1a - site location and Natura 2000 sites within 15km, and Figure 1.1b - site location and pNHAs and NHAs within 15km, are presented as coloured aerial photographs, difficult to read at the scale presented.

Table 2.1 presents baseline field assessment details – dates, times and weather conditions and description of surveys – September 2018 for the substation development, and July and June 2018 as part of the Clonfad solar site. Findings are not presented separately and there is some overlap between the subject site and the wider site. The September survey included a walkover survey and deployment of a trail camera and passive bat detector (7th September) and their retrieval the following day. Bat activity on, and adjacent to, the site was recorded on the night July 12/13 2018. Table 3.1 lists designated sites within 15km of the site, in order of distance, the closest being Milltownpass Bog NHA, at 0.4km distance, and the second closest being the Royal Canal pNHA, at 3.2 km distance.

A potential pathway via surface water to the River Boyne & River Blackwater is identified, c9.8km and 19.9km downstream. There is potential for run-off to enter Kinnegad Stream during periods of heavy rain and via the storm water collection system. During construction this could give rise to silt-laden runoff into the Kinnegad Stream.

Wastewater will be collected to a holding tank for removal off site by a licensed contractor.

Disturbance / Displacement of Fauna – the nearest designated site with fauna species of conservation interest (otter) is the Royal Canal pNHA 3.2km distance. The distance, and screening through vegetation / topography, precludes direct disturbance or displacement of fauna from the Royal Canal pNHA or any other designated site.

Ex-situ disturbance impacts, are considered, where highly mobile species from the designated sites may occur at the development site to forage or commute. Otter are a mobile species, the Kinnegad Stream is not considered to be of ecological significance for this species due to its small size, generally <2m in width, and low

fisheries potential. Otter may forage along the watercourses in close proximity to the development area, this species tends to favour larger watercourses. No evidence of other was found.

There are three SPAs within 15km: Lough Ennell SPA, Lough Owel SPA and the River Boyne & River Blackwater SPA. The qualifying species of these SPAs (waterfowl at Lough Ennell SPA and Lough Owel SPA and Kingfisher at the River Boyne & River Blackwater SPA) are dependent on aquatic habitats which are not present at the proposed site. The Kinnegad Stream is a second order stream and too small to support breeding Kingfisher. No ex-situ impacts on species from designated sites are envisaged.

Impact receptor pathway: River Boyne & River Blackwater SAC & SPA – 9.8km overland 19.9km via watercourses, qualifying interests: alkaline fens, alluvial forests, River lamprey, salmon, otter and Kingfisher.

Habitats & Flora in the existing environment – improved agricultural grassland (low local importance), hedgerow (high local value), semi-natural watercourse (eroding/upland rivers - high local value). Protected Flora & Invasive Species – no species protected under the Flora (Protection) Order 2015, listed in Annex II or IV of the Habitats Directive or listed in the Irish Red Data Books, were recorded within the site boundary. There is one record of a rare species: Blue Fleabane, within the 10km grid square that overlaps the proposed development site. This is listed as protected in Northern Ireland but is of least concern in this state. No species on schedule 3 of the EU (Birds and Natural Habitats) Regulations (species which it is an offense to disperse, spread or otherwise cause to grow), was found.

Figure 3.1 Habitat Map for an area in which the site is located, identifies, in the key, neutral grassland, improved agricultural grassland and semi-natural wet grassland. The shading in the legend and on map do not match, however, the text states the site to be improved agricultural grassland.

Birds – 26 bird species (table 3.3) were noted in walkovers of the solar site in the wider area. Two red listed species of high conservation concern were recorded: Meadow Pipit and Yellowhammer. Meadow Pipit is likely to be associated with wet grassland in the wider area. Yellowhammer are associated with hedgerows and cereal crops in the wider area. The site does not contain habitats of ecological significance for these species. Of the 7 amber listed species recorded in the wider

area, Swallow, Skylark and Starling may forage across open pasture. The remaining amber listed species recorded are primarily associated with the hedgerows and treelines along the field boundaries of the site and wider area, which provide foraging and nesting habitats. There are six Annex 1 species on the NBDC database within the 10km grid: Corncrake (last recorded in 1972), Golden Plover, Kingfisher, Little Egret, Peregrine Falcon and Whooper Swan. There are no habitats of ecological significance for these species on the site. Four additional red listed species have been recorded within the 10km grid: Barn Owl, Curlew, Grey Wagtail and Lapwing: Barn Owl may forage; Grey Wagtail may forage along the Kinnegad Stream but are likely to occur along larger rivers; there is no suitable breeding habitat (ie upland bogs) for Lapwing or Curlew; they may occur on the site during winter, particularly when fields have been tilled.

Terrestrial Mammals – those recorded are highly mobile: Badger, Fox, Irish Hare and Rabbit were recorded on the overall solar farm site during walkovers and Brown Rat and Pine Marten on trail camera. Badger, Fox and Hare are likely to be widespread. No Badger setts were found, however the species breeds in the wider solar farm and is likely to forage here.

Species on the NBDC database within the 10km grid are: Fallow Deer, Irish Stoat, Otter, Grey Squirrel, Red Squirrel, Hedgehog, American Mink, and Wood Mouse. There is no woodland on site for fallow deer, Grey Squirrel or Red Squirrel; the watercourse is too small for Otter; and the remaining species are likely to occur on the site from time to time, especially along existing hedgerows.

Bats – no suitable bat roosting structures were identified. Hedgerows offer suitable foraging and commuting habitat for bats. The passive detector recorded the presence of four bat species in the area at low levels of activity; Common Pipistrelle widely on roads surrounding the site; Leisler's bat less frequently; Soprano Pipistrelle less frequently along the R446; and Daubenton's bat on the Milltownpass Stream but not on the Kinnegad stream.

On the NBDC database within the 10km grid: Brown Long-eared Bat is also recorded but not Leisler's bat. Leisler's bat is listed as near threatened, although the Irish population is stable. All species are protected.

Other taxa – four butterfly species of least concern in Ireland were recorded in the solar farm site. Common frog was recorded in the solar farm site; there is no suitable

habitat on the substation site. Of species of other taxa on the NBDC database within the 10km grid, Marsh Fritillary is on the Annex II list; but suitable habitat: the Devils Bit Scabious plant, is not found on the site.

The hedgerow provides suitable habitat for other taxa but the improved agricultural field is of low value for most species.

Potential Impacts – construction runoff – best practice measures are adopted to minimise the risk of any impact on local aquatic ecology. Designated sites are 19km downstream and highly unlikely to be affected. No other potential impact receptor pathways have been identified.

No significant effects are envisaged during the operational phase.

Potential Effects on habitats and flora – the excavation and storage of soil has the potential to cause temporary siltation of watercourses in the event of prolonged heavy rain where excavated areas and spoil heaps are unprotected, or sited in close proximity to watercourses. The earthworks will be protected and stockpiled in designated areas away from the watercourse. In a ‘do nothing’ scenario the fields would be subject to occasional ploughing, re-seeding, fertiliser and weed spraying which would represent a much higher and repeated risk than the relatively minor earthworks associated with the proposed development. No indirect habitat loss / deterioration effects through siltation are expected, during construction or operation.

Potential effects on fauna – construction – the footprint will be confined to the open area of the agricultural field: unsuitable for annex 1 bird species. Overall effects on birds: neutral. There will be no removal of mature trees or other suitable bat roosting habitat; potential effects on bats: neutral. There is potential for construction impacts on badgers or other mammals, foraging / commuting. Such species are widespread in the Irish landscape and not of high conservation concern. Similar suitable habitats were recorded in the area. Species disturbed by the works or the development can take refuge in these areas. The habitats of highest value are the hedgerows, which will be left in situ.

Potential effects on fauna - operation – the palisade fence will exclude mammals from the substation. It will generally be unmanned and unlit. No disturbance effects on mammals arise during the operational phase. There is some potential for marginally increased bird collision risk with the two line cable interface masts of 21m height, to the west of the main substation compound. These are setback from the

riparian corridor in improved agricultural grassland, and in close proximity to the existing overhead line.

Potential for operational effects are neutral to slight negative, in the absence of mitigation.

Cumulative and in - combination effects – construction: the 260ha solar site is within the same catchment. The EcLA and AASS reports for Clonfad Solar Farm have identified no significant effects on designated sites. Earthworks associated with the permitted solar farm and the proposed substation are minor and the risk to watercourses is very low; no cumulative impacts on watercourses or designated sites are expected.

Disturbance / displacement – the habitats of highest value on the solar farm site for most fauna are the hedgerows and treelines along field boundaries. These will be largely left in situ. Removal of 380m will be offset by planting of 2,674m, with slight positive impact. Apart from minor removal to facilitate access, the hedgerows on site will be left in situ. There is negligible potential for cumulative impacts.

Operational phase – under lower intensity management there is potential for an increase in flora species, and ongoing development and maturation of the planted hedgerows as well as wildflower / wildgrass habitat around the site margins of the solar farm will have a slight positive impact on habitats and flora. Additional landscaping measures on the solar farm will have a positive impact on fauna; residual slight positive impact.

No cumulative operational phase impacts are considered likely.

Mitigation: habitats and flora – no removal of habitats or machinery movement outside the works area; standard environmental controls and commitments provided in the OCEMP for the permitted solar farm; earthworks outside October – March; landscaping plan will be implemented (only native tree and shrub species); pre works walkover to ensure that there are no (third schedule) invasive plant species (invasive management plan to be implemented).

Mitigation – fauna – trenches to be covered at night (nocturnal species); if excavations become inundated they will be checked for the presence of frogs or frog spawn (and translocated under licence); the two line cable interface masts will be fitted with bird flight diverters to minimise risk of collision; pre-works walkover to

identify the presence of any protected fauna (and cordoned off until advice is sought).

Residual effects – no significant residual effects: neutral.

3.1.11. Screening Assessment.

This is presented as a separate report and also as an appendix to the Ecological Assessment. The screening assessment for proposed substation in support of the AA process, includes:

An OCEMP for the permitted solar farm includes the substation development; the construction is estimated to take 12 months.

Site Surveys - baseline field assessment details – dates, times and weather conditions and description of surveys – in September 2018 for the substation development, and in July and June 2018 as part of the Clonfad solar site. The information presented is very similar to that in the Ecological Assessment, and reaches the conclusion that it can be objectively concluded that no significant effects arising from the proposed development are likely to occur in relation to the Natura 2000 sites, the River Boyne and River Blackwater SAC, and River Boyne and River Blackwater SPA.

3.1.12. Flood Risk Assessment

The Flood Risk Assessment includes: the PFRA identifies indicative fluvial risk along the river to the west. Re. the risk of groundwater flooding: groundwater vulnerability being moderate, the risk of groundwater flooding is low. There is no risk of coastal flooding.

Fluvial flood risk modelling was carried out using three methods:

- The Flood Studies Report Rainfall-Run Off Method (FRS RR)
- Flood Studies Update (FSU)
- Institute of Hydrology Report no. 124 (IH 124)

Table 4.2 gives estimated results from the FSU model, which was determined to produce the most realistic flow values for the catchment, using 20% increase for climate change (from the Mid Range Future Scenario (MRFS)); and with levels that are higher **in** the FSU model. The IH 124 method results were discounted as the results are considerably lower than the FSU and the FRS RR for all the site areas.

Flood extents for the 1% AEP and 0.1% AEP are shown in Figure 5.1. They do not inundate the site. The main areas experiencing inundation are downstream at the culvert under the local road which overtops during the 1% and 0.1% events. A flood model, developed to replicate 66% blockage of the culvert, shows that the substation site will not be impacted. A 20% increase for climate change which confirms that the site will not be inundated, is shown in Figure 5.2. The substation is located in flood zone C. Minimum finished floor levels (FFL) with an allowance for freeboard and climate change, gives a minimum FFL of 86.18 on the substation site, and 85.76 on the parking / building compound site. It is also necessary to provide a further freeboard of 150mm to protect against pluvial flooding. Pluvial flooding is not indicated on the site, which slopes towards the river and has no depressions.

Residual risks – in the subject site, the culvert with potential for blockage, remains. To minimise the risk of blockage, monitoring will be undertaken as part of regular security and maintenance tasks, expanded to include visual inspection of the river channels, and particularly at any inline culvert structures. Any debris should be removed during the inspection programme. The proposed perimeter fence, including along the boundary with the open watercourse, will help retain any debris which might arise.

Climate change - the modelling indicates the site will be impacted by the 1% Mid Range Future Scenario (MRFS). The FFLs for critical infrastructure within the site have been set with a freeboard of 300mm above MRFS flood levels.

The solar farm development is referred to: the main mitigation measure is to place the minimum panel levels with a freeboard of 400mm over the 1% AEP MRFS. The standard height of the solar panels of 0.8m provides sufficient protection from the 1% AEP MRFS 0.1% residual flood risk levels for the majority of panels. Where there are depressions, areas are highlighted which require additional protection to ensure the panels are located above the highest predicted flood levels, and where a minimum panel height of 1.1m is required, as shown in Figure 6.2.

The solar farm is considered water compatible and will not increase the risk of inundation. Overall the combined impact will not increase the risk of inundation downstream.

The flood risk assessment confirms that the development is an appropriate development at this location.

3.1.13. The Landscape & Visual Impact Assessment includes:

The assessment includes the entire solar farm. The landscape character assessment of the county, carried out as part of the county development plan, identifies this area as Lough Ennell and South Eastern Corridor.

Landscape policies are cited.

Characterised by slightly undulating, decently drained, low-lying terrain, with the remaining land bearing an ostensibly flat terrain that is more prone to waterlogged soils. Hedgerows vary enormously altering from thick to tall, with deep ditches, too small and scant, while others have intermittent trees with little or no under-storey. The scale of visual absorption alters, changing from open views stretching to several hundred metres, to those abruptly foreshortened by tall trees and bushes within the verdant patchwork of small or medium-sized fields.

A computer generated (ZTV) zone of theoretical visibility map has been prepared to illustrate where the proposed development is potentially visible from (bare ground) and is shown in Figure 11. Most of the high or highest theoretical visibility is focused on the central study area, as well as a linear band running directly south from the central study area for 3-4km.

A computer generated (DSM) digital surface model map (taking account of existing vegetation) has been prepared to illustrate where the proposed development would be likely to be visible, Figure 12. This shows that visibility is considerably reduced (by 60-100%) and in many cases down to 0%. Potential visibility is now mostly restricted to areas within 500m of the site boundaries. The remaining areas, where potential visibility exists, affords partial glimpses of no more than 40% of the proposed development and in the majority of cases less than 20%. From the M6 visibility has reduced to 0% in most cases or less than 20%.

Mitigation - planting is proposed, either inter planting and under planting where existing perimeter hedgerows require consolidation; new hedgerow perimeter planting where feathered whips, holly and advanced nursery stock will be planted; or whip planting with holly to provide screening, longer term.

Post mitigation visibility is mapped in Figure 16 and shows that:

In areas of the south of the study area, particularly between Array E and the M6, likely visibility has reduced from 1-20% to 0% in places.

Along the local road adjoining the northern site boundary of block 1, likely visibility has also reduced from 1-20% to 0% in places, including for several residences.

There has been a minor decrease in areas of likely visibility above 20%. Where areas of likely visibility have remained in the 1-20% category, they tend to be more fractured shards, rather than blanketed wholesale across the area.

Restoration of the solar farm site will exclude the substation.

Photomontages are provided from 13 viewpoints (for the entire solar farm). The viewpoint which represents the impact of the substation is viewpoint 8 where the receptor sensitivity is medium-low, the pre-mitigation impact is high medium and post mitigation is reduced to low.

Cumulative Impact – permitted solar farm at Newdown, The Downs. There is little potential for these developments to be visible in combination or in sequence in a journey.

Conclusion: to maximise output capacity of renewable energy projects, while minimising their environmental impacts, it is considered that this project is exemplary at least in respect of landscape and visual effects.

Overall significance – not considered to give rise to any significant residual impacts. Very well screened or otherwise assimilated within the prevailing landscape pattern.

3.1.14. Proposed Substation at Hightown or Ballyoughter, Co Westmeath - Traffic Technical Note, includes:

A description of the local traffic route, including works approved by Westmeath County Council in connection with the solar farm development: the R446 a lightly trafficked section of the former N6, the L5008 a narrow local road connecting the R446 to the south, with the L1007 to the north, and the L1007 a wider local road where the new junction with the substation will be located west of the L5008 junction. Improvement works to facilitate access to the solar farm development and the subject development will include widening of a section of the southern end of the L5008 from the R446 to access the solar farm site, an internal access road parallel to the L5008 within the solar farm site, and a passing bay on a section of the northern end of the L5008 which will be utilised for construction access. A site

access roadway to serve the subject development and part of the solar farm development will be provided from a new site access on the L1007 west of the L5008. Figure 2.1 shows the route.

Typical delivery vehicles are envisaged to comprise 12m rigid or 16.5m articulated trucks. Large deliveries, 2 no, which carry components of the substation would be subject to an abnormal load permit. Commencing approx. midway through the substation's overall construction and commissioning programme, substation and solar farm activities will overlap, and there will be a maximum of 37 no. inbound and 37 no. outbound daily trips (including staff/LV (light vehicle) and delivery related HV (heavy vehicle) trips), an average of 3 two way per hour; 32 to the solar farm and 5 to the substation. A maximum of 15 staff vehicles will be based on site during the peak week of substation construction, parking either at the main compound or the compound adjacent to the substation access. Construction staff will arrive before 08.00 and leave after 18.00 and this is not expected to coincide with the AM or PM peaks on the local roads.

Traffic figures illustrate the low level of traffic on these roads and their capacity to accommodate the additional traffic generated. The traffic associated with the subject development will, largely, not overlap with those associated with the solar farm development, as illustrated in Figure 4.1.

The conclusion is that the proposed development accords with best practice and other relevant design standards and has been demonstrated, via comprehensive analysis, to have no adverse traffic or road safety impact on the local road network.

3.1.15. Landowner Consent – a letter from Patrick Dardis is provided.

3.1.16. Drawings: drawing number and title:

21037-MWP-SS-00-DR-C-5020 Proposed Substation Site Location

21037-MWP-SS-00-DR-C-5021 Substation Location Solar Farm Layout

21037-MWP-SS-00-DR-C-5022 Site Location Plan

21037-MWP-SS-00-DR-C-5023 Substation Compound Sections

21037-MWP-SS-00-DR-C-5024 Detailed Compound Layout

21037-MWP-SS-00-DR-C-5025 Compound Elevations

21037-MWP-SS-00-DR-C-5026 Substation Site Location 6" map

21037-MWP-SS-00-DR-C-5027 Eirgrid Building Plan, Elevations, Sections
21037-MWP-SS-00-DR-C-5028 IPP Building Plan, Elevations, Sections
21037-MWP-SS-00-DR-C-5029 Palisade Fence Details
21037-MWP-SS-00-DR-C-5030 Concrete Post & Rail Fence Details
21037-MWP-SS-00-DR-C-5031 Compound Entrance Gate Details
21037-MWP-SS-00-DR-C-5032 Double Gate Details - Side Entrance
21037-MWP-SS-00-DR-C-5033 Typical Foul Holding Tank Details
21037-MWP-SS-00-DR-C-5034 Typical Compound Details
21037-MWP-SS-00-DR-C-5035 Typical Transformer, Bund & Plinth Details
21037-MWP-SS-00-DR-C-5036 Overhead Line Interface Tower Detail
21037-MWP-SS-00-DR-C-5038 Site Layout Sheet 1
21037-MWP-SS-00-DR-C-5039 Site Layout Sheet 2

4.0 **Submissions and Observations**

4.1. **Prescribed Bodies**

4.1.1. The applicant has informed the following of the submission of an application:

- Westmeath County Council
- Minister of Culture, Heritage and the Gaeltacht
- Minister for Communications, Climate Action and Environment
- Transport Infrastructure Ireland
- An Taisce
- The Heritage Council
- Commission for Regulation of Utilities
- Health Service Executive
- Inland Fisheries Ireland
- Irish Water

4.2. Responses Received:

4.2.1. Geological Survey:

Referring the Board to their databases. There are no County Geological Sites in the vicinity of the proposed development. Geohazards – landslides are common in areas of peat, such as those found within the proposed development area.

4.2.2. TII:

It is noted that the Traffic Technical Note that accompanied the application outlines that 2 large deliveries, which carry components of the substation, would be subject to an abnormal load permit. Any operator who wants to transport a vehicle or load whose weight falls outside the limits allowed by the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003, must obtain a permit for its movement from each local authority through whose jurisdiction the vehicle will travel. With specific reference to structures on the proposed haul route, all structures should be checked by the applicant / developer to confirm their capacity to accommodate any abnormal load proposed. The Authority is of the opinion that an assessment by the applicant / developer of structures concerned, is required to confirm that all the structures can accommodate the proposed loading associated with the delivery of substation components, where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations.

Proposals impacting on national roads, agreed between the road authorities and the applicant, should be notified to TII. Where sections of the national road network are subject to Motorway Maintenance and Renewal Contracts (MMaRC) or PPP provisions, consultation with the MMaRC Contractor or PPP company should be undertaken.

TII requests these matters to be considered in the interests of maintaining levels of safety, capacity and efficiency on the national road network.

4.2.3. Dept of Culture, Heritage and the Gaeltacht:

Re. nature conservation –

The proposed substation site is 1.3ha within a 3.5ha site, within an overall site of c260ha. The site is 400m from the Milltownpass Bog NHA, Site Code 002323, and 7.4km from Mount Hevey Bog Special Area of Conservation, Site Code 002342. The proposed development has a hydrological connection to the Kinnegad Stream and

onwards (19km approx.) to the River Boyne and River Blackwater Special Area of Conservation, Site Code 002299, and Special Protection Area, Site Code 004232.

Further information is required in relation to the finding of no significant effects.

EclA – An outline OCEMP is referenced in the EclA as having been completed for the solar farm planning application, and that the substation is included in this.

However the OCEMP has not been attached.

In respect of the map in Figure 1.1a more clarity is required, re choice of mapping and boundary colours vis a vis designated sites and rivers. The habitat map legend requires clarification.

The EclA identifies potential pathway to Boyne / Blackwater but does not address potential effects on Milltownpass Bog – 400m distance. Should consider all fauna that use the protected site.

Birds – 26 species recorded (2 red listed – Yellowhammer and Meadow Pipit), locations should be presented on map. A breeding survey does not appear to have been carried out, this should be addressed.

It is difficult to ascertain from the habitat map, whether the site is wet grassland or improved agricultural grassland and therefore important to Meadow Pipit; and evidence of why it is considered that the hedgerow within the site is not of significance to Yellowhammer and how the conclusion of no impact on red listed species was reached.

Regarding the statement that Annex I bird species may occasionally forage within the site, evidence of foraging should be included in the EclA. The statement that the river is too small to regularly support Kingfisher should be referenced by peer reviewed scientific source.

That Barn Owl may occasionally forage at the site and that Lapwing and Curlew may occasionally occur at the site, indicate that further survey work is required at the appropriate time of year.

Reference to the Irish Wildlife Acts should state the Wildlife Acts (1976-2018). All bird species are protected, unless listed under a derogation or in the open seasons order.

Terrestrial Mammals – data should be presented in maps, indicating what species were found within the boundary as well as connecting to the solar farm site. Why are badgers likely to forage across site? Evidence, through survey, is required to establish if there is regular or occasional use or pathways interconnecting with Milltownpass Bog NHA and the surrounding area. Re. least threatened species – Otter and Red Squirrel are near threatened; Irish Hare, and the threat from RHD2 disease should be noted. Survey through camera trap surveys should be carried out to establish connectivity with the surrounding area for hare.

Bats – several mature trees that have some potential to provide occasional roosting opportunities for bats and the landscape is of moderate value to bats; more detail on survey, locations and numbers identified is required and it would be useful to carry out more than one nights survey work; requires clarification. Clarification also required on removal of the connectivity provided by the hedgerow, and its timing; also noise impacts.

Other taxa – walk over survey on butterflies is presented. Data on moth would be useful. Rather than one walk over, transect surveys would have been more useful and use of moth traps to establish a wider ecological picture rather than excluding groups of species.

Overall site evaluation – no rationale or methodology for the survey is given. Potential effects on designated sites during construction, siltation / sedimentation to watercourses. It does not indicate if there is a hydrological link to Milltownpass Bog NHA, with reasons and evidence. Re. operational phase when potential contaminants may enter the storm water drain. Re. construction phase – detail of extra measures to prevent rainwater erosion of soil heaps and whether silt fencing is required.

No loss of hedgerow is stated but it also references that there will be habitat loss of hedgerow, the removal of 380m, any loss will be offset by the planting of 2,674 linear metres. Replanting regime should reflect the species of trees and shrubs in the removed hedgerow. The importance of the hedgerow habitat for pine martin, bats, badgers and wood mouse should be analysed and include analysis on whether the removal of the 380m will impact on the movement of these species. Cumulative and in-combination operational impacts refer to the solar farm data, which has not been

included. The information on noise from the substation and solar farm, references human impact, further clarification is required on impact on bird and mammal species.

Conclusions of EclA – finding of no significant effects noted; further clarification is required:

- Information with respect to noise emissions and the impact of noise on the avifauna and mammal species including Bat species.
- Hydrological impacts on Milltownpass Bog NHA from the proposed development, including the impacts of maintenance of the drains, on the NHA, along the roads being used to access the site and drainage maintenance combined with the solar farm site.

AA screening report:

2.1.1 – the Kinnefad Stream located west of the development site flows to the Kinnefad River which is a tributary of the Boyne and part of the SAC SPA 9.8km from the site but approx 19.9km along the watercourse.

2.2 – the amount of hedgerow removal is not specified in the AA screening, although it is stated in the EclA, it has relevance to mammal species, including bats.

There is reference to a storm-water pipe and drawing 5024, but this is not presented. Figure 2.2 has no legend. It is important to present connectivity to the surrounding watercourses accurately. The outline OCEMP is referenced but not included.

2.2.1 – surveys were undertaken in Sept 2018 and for the solar farm in June / July. The AA screening indicates that results from the fauna surveys are included. Table 2.1 – no survey results are included and should be. The rationale for timing and methodology should be given. No winter surveys were carried out.

Description of Natura 2000 sites – should include for Lough Ennell SPA and Lough Owel SPA ‘to maintain or restore the favourable conservation condition of the wetland habitat at Lough Ennell SPA (and similarly Lough Owel SPA) as a resource for regularly occurring migratory waterbirds that utilise it.’

Potential Impact-Pathway- Receptor Links – potential link to River Boyne and River Blackwater SAC & SPA. Storm water collection and outfall are designed to prevent

the substation from being inundated during heavy rainfall. Risk of runoff is identified as high during construction phase, to the Kinnegad River. Clarity is required re. likely impact on the Natura site 19km downstream; what are best practice measures and are they being relied on.

Disturbance / Displacement of fauna – re. Otter favouring larger watercourses; what evidence was found on the trail cameras? What was the methodology or rationale for siting of the trail cameras. Whether or not the watercourses were surveyed multiple times to ensure a more comprehensive survey is not indicated and does not indicate whether or not the Kinnegad stream is used regularly by otter. No rationale for not including the species River Lamprey or Salmon. Re. avifauna, the in-combination effect should be considered with the solar farm.

Stage 1 assessment – surface runoff is noted as a potential impact on local watercourse in the EclA, but not addressed in the AA. What best practice measures are proposed and are they being relied upon in the screening?

Cumulative and in-combination effects – the screening report does not consider the National Raised Bog Special Areas of Conservation Management Plan and does not contain information on other development, except the solar farm. Drainage and drainage maintenance with the solar farm should be submitted; the solar farm documentation is not provided.

AA screening conclusions – in addition to the specific requirements of the law in relation to the appropriate assessment, the tests and standards of this process, as established by jurisprudence, should also be taken into account. In particular, an appropriate assessment should not have lacunae, and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works on the (European) site concerned. Any uncertainties about the project and its likely short and long-term implications for European sites arising from a lack of data, information or analysis, will limit the precision and completeness of the appropriate assessment and will hinder the making of a robust determination under Article 6(3) of the Habitats Directive.

Gaps in the AA screening report to be addressed:

- It does not adequately address all the qualifying interest species within the 15km radius and all the conservation objectives for the Natura 2000 sites.

- It is not clear what the best practice measures are and whether these are being relied on for screening.
- No survey results are presented in the AA screening. Field survey results are presented within the EclA but are not in the AA screening. The dates and survey equipment used is acknowledged; the rationale for the timing of the field surveys is not clear and refers to the wider solar farm, which is a separate planning application.
- There are inconsistencies re. hedgerow habitat loss and the effects of the proposed development on the foraging areas on the Annex IV bat species found during the surveys.

4.3. Planning Authority Report

4.3.1. None received.

4.4. Third Party Observation

4.4.1. An observation was received from Ronan Brennan, it includes concerns about:

- Devaluation of house prices in the area.
- Health effects
- Environmental effects – fire hazard and hazard of substances leaking into the river.
- Construction impacts on the L1007 which is currently of poor quality, very narrow and has no foundations.

5.0 Planning History

305992, PA Reg. Ref. 19/6168, currently before the Board. Notification of decision to grant permission issued by Westmeath County Council on 1st November 2019 on a site of 260 ha for a development which is described as follows:

a 10 year permission for the construction of a Solar PV Energy Development comprising installation of Solar Photovoltaic (PV) panels on ground mounted frames/support structures within existing field boundaries; underground cabling and ducting including along the R446, the L1007 and the L5008; 40

No. inverter/transformer units; 1 No. customer control building; 1 No. communications and storage building; site perimeter (stock-proof) security fencing; CCTV security cameras; new construction site entrance and road crossing point on the L5008, upgraded access points and internal site access tracks; section of asphalt road widening along the L5008 north of the R446 to facilitate construction access; landscaping including screen planting; and all associated site development works. A number of temporary construction compounds will also be provided.

303289, Pre-Application Consultation under s.182E of the Planning and Development Act 2000, as amended, in relation to 110kV Substation. The Board determined that the development came within the description of Strategic Infrastructure.

6.0 Policy Context

6.1. 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%).

6.2. Irish Energy Policy

6.3. 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.

6.4. 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’.

6.5. 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 fourth 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).

6.6. Planning Policy

6.7. 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.

6.8. Regional Planning Guidelines for the Midland Region, 2010 - 2022

The regional guidelines include: with a strong history of energy production and an extensive electricity transmission network in place, the potential exists for a smooth transition to renewable energy from fossil fuels.

The potential for renewable energy generation such as wind energy will require connectivity to the electricity transmission network. Such connectivity will be required to sustain power transfers between wind generation in the West and the main load centre of Dublin. The upgrading of the transmission network will facilitate power

flows from both renewable and conventional sources to maximise the use of existing power corridors. In this regard, these RPGs promote the improvement and expansion of the transmission network throughout the Midland Region.

(5.8.1.1) Policy Framework for Electricity Provision - Development Plans should facilitate the sustainable provision of energy networks in principle provided that it can be demonstrated that:

- 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 social, economic, environmental and cultural impacts.
- Where impacts are inevitable mitigation features have been included.
- Where it can be shown the proposed development is consistent with international best practice.

Listed objectives include:

(TIP32) support and promote the sustainable improvement and expansion of the electricity transmission and distribution network that supply the Midland Region.

(TIP33) support the sustainable development of the infrastructure required to assist the Midland Region in the delivery of renewable energy particularly in the context of the existing energy infrastructure in the region and the need to make a transition from peat to renewable energy.

6.9. Development Plan

6.9.1. Westmeath County Development Plan 2014 – 2020 is the operative plan. Relevant provisions include:

(2.3) Strategic Aim – VIII - supporting and promoting the growth and development of the renewable energy sector in the county.

(3.5) The Economic Development Strategy seeks to ensure that the potential of Westmeath is maximised in terms of sustainable economic development and employment generation. The Strategy centres on strategic principles, including:

to attract, support and enhance rapidly growing industry sectors such as ICT, renewable energy, pharmaceutical and medical technologies.

Climate Change, Chapter 9 and Energy and Communications, Chapter 10, these aim to support and provide for the development of indigenous energy resources, with an emphasis on renewable energy supplies.

The development of alternative energy resources, replacing the need for conventional power plants, can help to conserve limited fossil fuel reserves, reduce environmental damage and slow the rate of climate change. The Council strongly supports all national and international incentives for limiting emissions of greenhouse gases and encourages the development of renewable energy resources.

The national target commits 40% of electricity from renewable resources by 2020 under the Government's publication "Building Ireland's Smart Economy – A Framework for Sustainable Economic Renewal (2008)".

Landscape - of the 11 landscape types identified in the landscape character assessment map this site is within area 10 Lough Ennell and South Eastern Corridor.

Policies - it is the policy of the Council:

(P-CC1) To support the implementation of the National Climate Change Strategy and to facilitate measures which seek to reduce emissions of greenhouse gases.

(P-EN2) To support local, regional, national and international initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which make use of the natural resources in an environmentally acceptable manner, and having particular regard to the requirements of the Habitats Directive.

(P-EN5) To support the sustainable development of the infrastructure required to assist the Midland Region in the delivery of renewable energy, particularly in the context of the need to make a transition from peat to renewable energy.

(P-ELE1) To support and promote the sustainable improvement and expansion of the electricity transmission and distribution network that supply the county, subject to landscape, residential, amenity and environmental considerations.

(P-ELE4) To co-operate and liaise with statutory and other energy providers in relation to power generation, in order to ensure adequate power capacity for the existing and future needs of the county

(P-ELE6) To support and facilitate the development of enhanced electricity and gas supplies, which do not negatively impact on environmental quality, landscape, wildlife, habitats or residential amenity and which are critical to the economic development of the county.

Objectives - it is an objective of Westmeath County Council:

(O-EN1) To support the implementation of actions identified in the Westmeath County Council Energy Efficiency Action Plan 2011.

(O-REN3) To identify suitable locations for strategic renewable energy projects in the county within two years of adoption of the plan.

(O-REN4) To prepare a Local Authority Renewable Energy Strategy for Co. Westmeath.

6.10. **Westmeath Development Contribution Scheme**

6.10.1. The Westmeath Development Contribution Scheme 2013 – 2020 includes:

Paragraph 7 - Exemptions and Reductions

(xv) Power Lines, Antennae Structures, Sewers / Drainage / Road Construction / provision of infrastructural facilities shall be exempt.

6.11. **Natural Heritage Designations**

6.11.1. The site is not located within a designated Natura 2000 site. There are 10 no. European sites within 15km of the appeal site as follows

6.11.1. The nearest Natura site is: Mt Heavey Bog SAC, located c 6 km to east.

6.11.2. The River Boyne & River Blackwater SAC and SPA are the closest Natura sites with linkage to the subject site, 7.59km direct line distance and 18.4km downstream.

6.11.3. The closest site with a natural heritage designation is the Milltownpass Bog NHA, which is located c. 300m to the west of Block 1 and 400m from the subject site.

7.0 **Assessment**

7.1.1. The issues which arise in relation to this application are: appropriate assessment, policy context and principle of the development, landscape and visual impacts,

residential amenity, traffic and transportation, natural heritage, and other issues and the following assessment is dealt with under these headings.

7.2. Appropriate Assessment

- 7.2.1. The application was accompanied by a Stage 1 AA Screening Assessment report. It 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.
- 7.2.2. The Dept of Culture, Heritage and the Gaeltacht have submitted an observation regarding nature conservation in relation to appropriate assessment that the application:
- Does not adequately address all the qualifying interest species within the 15km radius and all the conservation objectives for the Natura 2000 sites;
 - Is not clear what the best practice measures are and whether these are being relied on for screening;
 - That no survey results are presented in the AA screening. Field survey results are presented within the EclA but are not in the AA screening. The dates and survey equipment used is acknowledged; the rationale for the timing of the field surveys is not clear and refers to the wider solar farm, which is a separate planning application; and
 - That there are inconsistencies regarding the hedgerow habitat loss and the effects of the proposed development on the foraging areas on the Annex IV bat species found during the surveys.
- 7.2.3. It should be noted that information in the EclA is available to enable the Board to carry out appropriate assessment and that the information provided with the application, although not specific to the substation site, enables the site to be assessed in the natural heritage context within which it is situated. The Board will note that no Natura sites in the area have been designated for bat species.

7.2.4. The proposed development is a 110kV electrical substation and associated 110kV infrastructure required to connect ground-mounted solar PV generation to the electricity transmission line.

7.2.5. The proposed development is not within a European site and the works are not relevant to the maintenance or management of any such sites.

7.2.6. The following European sites are located in the vicinity of the site:

European Site	Site Code	Relevant QIs & CIs	Distance
Lough Ennell SAC	000685	Alkaline fens,	10.4km
Lough Ennell SPA	004044	Pochard, Tufted Duck, Coot, Wetland and Waterbirds	10.4km
Lough Owel SAC	000688	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp., Transition mires and quaking bogs, Alkaline fens, White-clawed Crayfish	14.4km
Lough Owel SPA	004047	Shoveler, Coot, Wetland and Waterbirds	14.4km
Mount Hevey Bog SAC	002342	*Active raised bogs, degraded raised bogs, rhynchosporion depressions.	7.4km
Raheenmore Bog SAC	000582	*Active raised bogs, degraded raised bogs, rhynchosporion depressions.	15km
R Boyne & R Blackwater SAC	002299	Alkaline fens, Alluvial forests (with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i>), River Lamprey, Salmon, Otter	9.8km overland >19km downstream
R Boyne & R Blackwater SPA	004232	Kingfisher	9.8km overland >19km downstream
Wooddown Bog SAC	002205	Degraded raised bogs	8km

- 7.2.7. A potential pathway via surface water to the River Boyne & River Blackwater is identified, c9.8km and 19km downstream. There is potential for run-off to enter Kinnegad Stream during periods of heavy rain and via the storm water collection system. During construction this could give rise to silt-laden runoff into the Kinnegad Stream.
- 7.2.8. The construction phase of the proposed development would include site preparation works, including a moderate amount of site clearance and excavation works which have potential to effect the water quality of the drains and streams in the vicinity of the work. There is hydrological connectivity between the site and the European sites R Boyne & R Blackwater SPA and R Boyne & R Blackwater SAC, >19km downstream.
- 7.2.9. As pointed out in the Ecological Impact Assessment in a 'do nothing' scenario the fields would be subject to occasional ploughing, re-seeding, fertiliser and weed spraying which would represent a much higher and repeated risk than the relatively minor earthworks associated with the proposed development. The potential for siltation / contamination of watercourses as a result of the development is considered low, no indirect habitat loss / deterioration effects through siltation are expected to watercourses and associated designated sites downstream.
- 7.2.10. In terms of ecological connectivity, as noted in the screening report, there are three SPAs within 15km: Lough Ennell SPA, Lough Owel SPA and the River Boyne & River Blackwater SPA. The qualifying species of these SPAs, waterfowl at Lough Ennell SPA, Lough Owel SPA and Kingfisher at the River Boyne & River Blackwater SPA, are dependent on aquatic habitats which are not present at the proposed site. There are no lakes at the proposed site, and watercourses are too small to support breeding Kingfisher. It should be noted that Kingfisher was recorded in the site survey for the solar farm, Kingfisher are widespread in Ireland, and are resident on streams, rivers and canals. Although it is a species of Special Conservation Interest of the River Boyne & River Blackwater SPA, other sites where breeding Kingfisher would be likely to occur, such as the Royal Canal pNHA, at 3.2 km distance, are closer than the protected site to the subject site.
- 7.2.11. Other ex-situ disturbance impacts, where highly mobile species from the designated sites may occur at the development site to forage or commute, are considered in the

application submissions. Although otter is a mobile species, the Kinnegad Stream is not considered to be of ecological significance for this species due to its small size, generally <2m in width, and low fisheries potential. Although it may forage along the watercourses in close proximity to the area, it tends to favour larger watercourses and no evidence of Otter was found in the field surveys. River Lamprey (present in the lower reaches of the Boyne River) and Salmon are species of community interest of the River Boyne & River Blackwater SAC. Inland Fisheries Ireland have made no observation on this application which was referred to them (per the initial planner's report). At its nearest, in the vicinity of Longwood, Co Meath, the SAC is more than 18km downstream of the subject site. I concur with the Screening Assessment provided on behalf of the applicant, that the proposed development will cause no ex-situ impacts on species from designated sites are likely.

7.2.12. All the other above listed sites, ie. apart from those referred to in paragraphs 7.2.7 to 7.2.11, can be ruled out because of lack of hydrological or ecological connectivity.

7.2.13. Although a separate application, the proposed solar farm is included in the Ecological Impact Assessment and the Screening Assessment report attached as an appendix to the Ecological Impact Assessment submitted with the subject application and the cumulative or in-combination impacts are included. This is a rural area with limited development other than agricultural development and one-off housing and no other cumulative or in-combination effects are envisaged. Therefore in my opinion, a screening determination may be made, in relation to the site, that stage II appropriate assessment is not required.

7.2.14. 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. 002299 and 004232, or any other European site, in view of the site's Conservation Objectives, and that a Stage 2 Appropriate Assessment is not therefore required.

7.3. Policy Context and the Principle of the Development

7.3.1. 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, the Westmeath County Development Plan 2014-2020, has an overall aim for Energy and Communications, to support and provide for the development of indigenous energy resources, with an emphasis on renewable energy supplies, and the policy (P-EN5) to support the sustainable development of the infrastructure required to assist the Midland Region in the delivery of renewable energy.

- 7.3.2. 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.
- 7.3.3. The Board should note that there is no justification put forward for the substation development other than to connect the solar farm to the electricity transmission network. It is however intended that the substation development should be permanent, while a life of 30 years is sought for the solar farm. Nevertheless the substation and solar farm are linked and neither should be determined in isolation from the other. The solar farm appeal (305992) is currently before the Board and should be considered concurrently with this SID application.

7.4. Landscape and Visual Impacts

- 7.4.1. The Landscape Character Assessment for County Westmeath is set out in Annex 4 of the Development Plan. Of the 11 landscape types identified in the landscape character assessment map, this site is within area 10, Lough Ennell and South Eastern Corridor. Each landscape type has varying capacity to absorb development related to its overall sensitivity. Protection based on landscape extends to the area of High Amenity, at Lough Ennell and a number of preserved views listed from the

R446 between Tyrrellspass and Rochfortbridge. No particular protection applies to the subject site.

- 7.4.2. A Landscape and Visual Impact Assessment is provided with the application. It is almost identical to that presented with the solar farm application. The assessment of landscape impact, of both the solar farm and substation, includes a computer generated zone of theoretical visibility (ZTV) map (bare ground) (Fig 11) and a computer generated digital surface model (DSM) map (with vegetation) (Fig 12) to illustrate where the proposed development is potentially visible, and where it would be likely to be visible. Mitigation using planting is proposed, either: inter planting and under planting where existing perimeter hedgerows require consolidation; new hedgerow perimeter planting where feathered whips, holly and advanced nursery stock will be planted; or whip planting with holly to provide screening longer term; and the impact of this on the visibility in the landscape is indicated (Fig16). The areas of visibility are reduced and the extent of panels visible from these areas is largely between 1 and 20%.
- 7.4.3. Viewshed Reference Points (13 no.) are used to indicate the views of the proposed development and the proposed solar farm showing the impact of mitigation planting, where proposed. The viewpoints are scattered throughout the solar farm site.
- 7.4.4. In relation to the subject application viewpoint 8 shows the existing view from the road, the view with the proposed substation, the view with solar panels forward of the substation, and post mitigation. The proposed substation is a substantial feature in the landscape. Following installation of the proposed solar panels, views of the substation will be reduced, and with planting, views of both the substation and solar panel arrays will be further reduced but not fully concealed, because of the site access at this location.
- 7.4.5. The subject site does not have significant visibility and the proposed development will largely only be visible from the adjoining road. The proposed planting will mitigate the visibility.
- 7.4.6. The nearest dwelling is over 400m to the north east.
- 7.4.7. For the overall development the Landscape and Visual Impact Assessment concludes that the solar development is not considered to give rise to any significant

residual impacts and is very well screened or otherwise well assimilated within the prevailing landscape pattern.

- 7.4.8. In my opinion the landscape impact and visual impact of the proposed substation will not be significant and neither landscape impact nor visual impact should be reasons to refuse or modify the proposed development.

7.5. Residential Amenity

- 7.5.1. A Noise Impact Assessment is included as appendix D to the Planning & Environmental Report. It states that the separation distance of 400m from the nearest dwelling will ensure that noise levels at the dwelling will be below 40dB(A) at all times and will not therefore exceed the levels that might cause nuisance at night time.
- 7.5.2. The observer has raised concerns regarding devaluation of house prices in the area. There is nothing to indicate that the proposed substation will have any impact on house prices.
- 7.5.3. The observer has raised concerns regarding health effects. The site is located in a field crossed by a 110kv line, in a rural area surrounded by fields which are used as pasture, with a planted area and Milltownpass Bog to the west and south-west and the nearest dwelling 400m to the east. There is nothing to indicate that the proposed substation will have any impact on health.
- 7.5.4. In my opinion residential impact should not be a reason to refuse or modify the proposed development.

7.6. Traffic and Transportation

- 7.6.1. The proposed development would be located along a local county road (L1007). The access route for construction traffic is from the R446 to the south and via a combination of sections of the local road to the east (L5008), including a widened section of road near the R446 and a section near the L1007 where a passing bay will be provided. The route also includes access tracks across land to the south to be developed as part of the proposed solar farm. The construction route can only be

provided as part of the solar farm development and must be considered in conjunction with that development.

7.6.2. The application for the solar farm was subject to preplanning consultation with the planning authority, which included their roads engineer, and was subjected to a request for further information which included information in relation to the construction traffic route. The decision to grant permission which issued from the planning authority included conditions concerning the construction route and the public roads being used.

7.6.3. The proposed development includes a construction compound between the substation and the road, which will serve as a construction compound for the substation and this part of the solar farm. The application was accompanied by a Traffic Technical Note. It notes that a site access roadway to serve the subject development and part of the solar farm development will be provided from a new junction / site access on the L1007 west of the L5008. The route is shown in Figure 2.1 of the report. Apart from two deliveries with components of the substation, which would be subject to an abnormal load permit, typical delivery vehicles are envisaged to comprise 12m rigid or 16.5m articulated trucks. There will be an overlap in construction activities with the solar farm, commencing approx. midway through the substation's overall construction and commissioning programme, when a maximum of 37 no. inbound and 37 no. outbound daily trips (including staff/LV and delivery related HV trips), an average of 3 two way per hour; 32 to the solar farm and 5 to the substation, will occur. A maximum of 15 staff vehicles will be based on site during the peak week of substation construction, parking either at the main compound or the compound adjacent to the substation access. Construction staff will arrive before 08.00 and leave after 18.00 and this is not expected to coincide with the AM or PM peaks on the local roads. Traffic figures illustrate the low level of traffic on these roads and their capacity to accommodate the additional traffic generated.

7.6.4. TII have made an observation on the application, noting the abnormal load and the requirement to obtain permits for its transportation and that all structures should be checked by the applicant / developer to confirm their capacity to accommodate any abnormal load proposed.

Proposals impacting on national roads, agreed between the road authorities and the applicant, should be notified to TII. Where sections of the national road network are subject to Motorway Maintenance and Renewal Contracts (MMaRC) or PPP provisions, consultation with the MMaRC Contractor or PPP company should be undertaken.

The Authority is of the opinion that an assessment by the applicant / developer of structures concerned, is required to confirm that all the structures can accommodate the proposed loading associated with the delivery of substation components, where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations.

- 7.6.5. The planning authority have not made an observation on the application, however their consideration of the solar farm development included consideration of the substation and reports and conditions on that file are of relevance.
- 7.6.6. The third party has made an observation concerning the construction impacts on the L1007 which is currently of poor quality, very narrow and has no foundations.
- 7.6.7. The proposed construction route includes unimproved sections of the L1007 and L5008, where improvement works have not been proposed.
- 7.6.8. The decision in relation to the solar farm includes a condition which requires a pre-construction road condition survey, to include a schedule of required works to enable the Designated Construction Traffic Routes to cater for construction-related traffic, which work must be carried out prior to commencement of development.
- 7.6.9. This may require works to the sections of the L1007 and the L5008 over which the construction traffic to the subject development will travel. In my opinion a similar condition should be attached to the Board's decision should the Board be minded to grant approval in this case.
- 7.6.10. The Dept of Culture, Heritage and the Gaeltacht have made an observation regarding nature conservation, that further clarification is required on the hydrological impacts on Milltownpass Bog NHA from the proposed development, including the impacts of maintenance of the drains, on the NHA, along the roads being used to access the site and drainage maintenance combined with the solar farm site.

- 7.6.11. Regarding the potential impact on drainage to Milltownpass Bog NHA, from road improvement works, the levels shown on historic mapping for the area (eg. historic 25 inch) show that the fall along the road is towards the Kinnegad stream ie. from north-east to south-west. The level at the junction (of the L1007 and L5008) is 301ft and near the river is 292ft. West of the river the road rises towards the bog. The Kinnegad stream to the west of the site provides a hydrological divide between the construction route and the protected bog. Any additional drainage arising as a result of construction impact of the development would not impact on the bog's hydrology since the road drainage is towards the bog, intercepted by the river.
- 7.6.12. During the operational phase, the Traffic Technical Note states that there will be very low traffic volumes, limited to periodic maintenance trips, therefore the operational phase of the proposed substation development has not been analysed. Unlike the proposed solar farm, no decommissioning is proposed. The subject development is not intended to have a time limited operational phase.
- 7.6.13. In my opinion the issues which arise in relation to traffic and transportation are amenable to being addressed by condition and should not be a reason to refuse or modify the proposed development.
- 7.6.14. I am satisfied that traffic generated during the construction and operational phases can be accommodated on local roads in the manner proposed and will not give rise to a traffic hazard or endanger the safety of other road users.

7.7. Natural Heritage

- 7.7.1. The application is accompanied by an Ecological Impact Assessment (EcLA), which includes that the current land use on and in the immediate vicinity of the substation site is improved agricultural grassland (low local importance) and hedgerow (high local importance). The Milltownpass Bog NHA is 0.4km distance. To the west is the Kinnegad stream (Eroding upland Rivers, high local importance), of moderate status and at risk of deteriorating. It flows southeast to the Kinnegad River, a tributary of the River Boyne. The facility will not be lit at night. The electrical compound will be surfaced with permeable crushed stone and the drainage on the site will mainly percolate to ground. A storm-water pipe will be installed to collect runoff in the vicinity of the buildings, running around the perimeter and discharging to the

adjoining watercourse. An outline CEMP has been completed for the permitted solar development which includes the substation development. Construction works will be carried out according to best practice regarding standard environmental protection.

- 7.7.2. The Dept of Culture, Heritage and the Gaeltacht have submitted an observation regarding nature conservation including in relation to the surveys carried out and their presentation. They consider that further information is required with respect to noise emissions and the impact of noise on the avifauna and mammal species including Bat species.
- 7.7.3. The surveys submitted include the proposed solar site lands in the wider area, and the results are largely presented for the overall site rather than the subject. Figure 3.1, the habitat map, allows the subject site to be identified, but the legend is of no assistance, since the colours do not correspond to those on the map; however the habitats on site are listed and described in section 3.2. Except at the road where a new entrance will be created, the proposed development avoids the habitats of high local importance: the hedgerow to the north east and along the roadway and the river to the south west.
- 7.7.4. The red listed bird species: Meadow Pipit and Yellowhammer, identified in the surveys at unidentified locations, are unlikely, based on the information provided, to be impacted by the proposed development, being associated with wet grassland in the case of Meadow Pipit and hedgerows and cereal crops in the case of Yellowhammer (cereal crops within the overall site are located in the southern area, at Milltownpass). The improved grassland on site is of low value for most avian species.
- 7.7.5. Four mammal species were recorded on the overall site: Badger, Fox, Irish Hare and Rabbit were recorded during walkovers and Brown Rat and Pine Marten on trail camera. Badger, Fox and Hare are likely to be widespread. No Badger setts were found on the subject site, however the species breeds in the wider solar farm and is likely to forage here. The proposed substation site will utilise c1.3ha of land from which these mammals will be excluded by fencing. This is a small area of land, of no particular ecological value, and therefore its loss to these mammals is not considered significant.

- 7.7.6. Bats were recorded on the overall solar farm site at unidentified locations. The hedgerows offer suitable foraging and commuting habitat for bats. The agricultural field is considered to be of low suitability for bats, due to the lack of linear vegetated features that are favoured by bats for commuting and foraging.
- 7.7.7. The overall evaluation of the site in the EcLA is that it is low local importance.
- 7.7.8. The main construction impact for consideration is the potential for siltation / contamination of the river to the west. Best practice measures will be implemented to minimise the risk of impact.
- 7.7.9. During the operational phase wastewater will be transported off site from the holding tank; a surface water drain will collect runoff in the vicinity of the buildings and will run around the perimeter of the site connecting to the watercourse. The station will be generally unmanned and not lit except for maintenance. No disturbance to mammals is envisaged. There is some potential for marginally increased bird collision risk with the two-line cable interface masts of 21m in height located to the west of the main substation compound. However, these are setback from the riparian corridor in improved agricultural grassland and in close proximity to the existing overhead line.
- 7.7.10. The potential effects on fauna are considered to be neutral to slight negative.
- 7.7.11. The third party observation raises fire hazard as a concern. The planning authority did not make an observation on this application but there is a Fire Officer's report on the solar farm application recommending a grant of permission. In terms of location of the substation, in the event of a fire, the site is well removed from any other property and is also some distance from the nearby river.
- 7.7.12. In my opinion this site is not of any particular sensitivity in terms of natural heritage and natural heritage should not be a reason to refuse or modify the proposal.

7.8. Other Issues

- 7.8.1. Glint and Glare - Although a glint and glare assessment is included in the application documents, it is not directly relevant to the subject application as the proposed solar panels, which will be developed on part of the subject site, are proposed under a separate application.

- 7.8.2. An Archaeological Assessment of Clonfad Solar is provided with the application. It covers the site of the solar farm as well as the subject site. The subject site is within block B as identified in the report where a field inspection was carried out 28th August 2018. The ringfort (WM027-065) borders the block to the east. As mitigation it is proposed to carry out a programme of geophysical surveying. Following completion of the geophysical survey, archaeological testing is also to be carried out in these areas. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in-situ or by record. All ground disturbances associated with the proposed development will be monitored by a suitably qualified archaeologist. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in-situ or by record. Any further mitigation will require approval from the National Monuments Service of the DoCHG.
- 7.8.3. In my opinion the issues which arise in relation to archaeology are amenable to being addressed by condition.

8.0 Recommendation

- 8.1. Having considered the contents of the application, the provision of the Development Plan, the observations received, and in accordance with the foregoing assessment, I recommend that the proposed development be approved for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to:

- (a) the nature, scale and extent of the proposed development,
- (b) the national targets for renewable energy contribution of 40% gross electricity consumption by 2020,
- (c) national and local policy support for developing renewable energy, in particular the:-
 - Government's Strategy for Renewable Energy, 2012-2020,

- National Planning Framework, 2018,
- Delivering a Sustainable Energy Future for Ireland - the Energy Policy Framework, 2007-2020,
- Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure 2012,
- Regional Planning Guidelines for the Midland Region, 2010 – 2022
- Policy P-EN5 of the Westmeath County Development Plan, 2014-2020,

(e) the distance to dwellings or other sensitive receptors from the proposed development,

(f) the planning history of the immediate area including proximity to the proposed associated Solar development (An Bord Pleanála Reference 305992 (Westmeath County Council Planning Reg Ref 196168). This development will serve as the grid connection for this generating infrastructure,

(g) the submissions on file including those from prescribed bodies,

(h) the documentation submitted with the application,

It is considered that the proposed development, subject to compliance with the conditions set out below, would:

- not have an unacceptable impact on the character of the landscape or on the cultural or archaeological heritage,
- not seriously injure the visual and residential amenities of the area,
- be acceptable in terms of public health, traffic safety and convenience,
- not have an unacceptable impact on the ecology,
- make a positive contribution to Ireland’s requirements for renewable energy, and
- be in accordance with:-
 - Government’s Strategy for Renewable Energy, 2012-2020,
 - the National Planning Framework, 2018 and
 - Policy objective P-EN5 of the Westmeath County Development Plan, 2014-2020.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars including the mitigation measures specified in the Planning & Environmental Report, lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.</p> <p>Reason: Having regard to the nature of the proposed development, the Board considered it reasonable and appropriate to specify a period of the permission in excess of five years.</p>
3.	<p>All of the environmental, construction and ecological mitigation measures set out in the Ecological Impact Assessment and the Planning and Environmental Report, and other particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.</p>

	<p>Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.</p>
4.	<p>a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.</p> <p>b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road. Their location within the compound shall be agreed with the Planning Authority prior to commencement of work on site.</p> <p>Reason: In the interests of clarity, and of visual and residential amenity.</p>
5.	<p>Water to welfare facilities and sink - the applicant / developer shall enter into a water connection agreement with IW prior to commencement of this development where it is proposed to connect to a public water network operated by IW.</p> <p>Reason: In the interests public health and orderly development.</p>
6.	<p>All landscaping shall be planted to the written satisfaction of the planning authority prior to commencement of development. Any trees or hedgerow that are removed, die or become seriously damaged or diseased during the operative period of the solar farm as set out by this permission, 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.</p> <p>Reason: In the interests of biodiversity, the visual amenities of the area, and the residential amenities of property in the vicinity.</p>

7.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <ul style="list-style-type: none"> a) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess and monitor all preparatory works and all site development works. b) investigate areas of archaeological potential by means of geophysical survey and, depending on the findings, carry out test excavations if deemed necessary following consultation with the National Monuments Services Section of the Department of Culture, Heritage and the Gaeltacht. c) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development, and d) submit a report to the planning authority, containing the results of the archaeological investigations and assessment. <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation in-situ or by record and protection of any archaeological remains that may exist within the site.</p>
8.	<p>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 intended construction practice for the development, including:</p> <ul style="list-style-type: none"> a) location of the site and materials compound including area identified for the storage of construction refuse

- b) location of areas for construction site offices and staff facilities
- c) details of site security fencing and hoardings
- d) details of on-site car parking facilities for site workers during the course of construction
- e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
- f) measures to obviate queuing of construction traffic on the adjoining road network,
- g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- i) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater,
- j) off-site disposal of construction / demolition waste and details of how it is proposed to manage excavated soil
- k) details of on-site re-fuelling arrangements, including use of drip trays,
- l) details of how it is proposed to manage excavated soil,
- m) means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of environmental protection, amenities, public health and safety.

9.	<p>a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:</p> <p>(i) An LAeqT value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive. [The T value shall be one hour.]</p> <p>(ii) An LAeqT value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.</p> <p>At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.</p> <p>b) All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 “Assessment of Noise with respect of Community Response” as amended by ISO Recommendations R 1996 1, 2 or 3 “Description and Measurement of Environmental Noise” as applicable.</p> <p>Reason: To protect the amenities of property in the vicinity of the site.</p>
10.	<p>All road surfaces, culverts, watercourses, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority. Prior to commencement of development, a road condition survey shall be taken to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In order to ensure a satisfactory standard of development.</p>
11.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such</p>

<p>other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p>
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Reason: To ensure satisfactory reinstatement of the site

Planning Inspector

15th July 2020

Appendices

- 1 Photographs
- 2 Extracts from the Westmeath County Development Plan 2014-2020
- 3 National Planning Framework (NPF), Government of Ireland, 2018
- 4 Regional Planning Guidelines for the Midland Region, 2010 - 2022
- 5 Site Synopsis Milltownpass Bog NHA, Site Code 002323