



An
Bord
Pleanála

Inspector's Report

ABP-306909-20

Development

Substitute Consent for Wind Farm grid connection

Location

Ballyroe buck, Ballyandres, Tincurry, Ballaman, Ballynancoran, Corah, Kiltilly, Curralane, Oldtown, Knocknalour, Moneydurtlow, Bolinaheney, Bolacheer, Graigue More, Tombrack, Boris, Ballycarney, Curraduff, Boolnadrum, Co. Wexford.

Planning Authority

Wexford County Council

Applicant(s)

The Electricity Supply Board

Type of Application

Substitute Consent

Observer(s)

None

Date of Site Inspection

19th October 2023

Inspector

Emer Doyle

1.0 Site Location and Description

- 1.1. The site is located a short distance (approximately 3-12kms) west/ north-west of Ferns in County Wexford. Comprising the routes of the grid connections it extends from the Crory 110kV/ Lodgewood 220kV substation in the south to the Knocknalour and Ballynancoran windfarms in the north, a straight line distance of approximately 12kms. A spur to the east extends to the Ballycadden wind farm and a spur to the west extends to the Gibbet Hill wind farm. The area in general is characterised by good quality arable land with a substantial amount of one-off housing. There is also a considerable amount of wind farm development in the area.
- 1.2. Most of the grid connections are underground cables laid in public roads. The main exceptions are; the initial connection to the substation, which crosses two fields (a distance of approximately 500m); the final connection to Gibbet Hill wind farm is across a private road, a track and fields (a distance of approximately 800m); and the link section between the Knocknalour and Ballynancoran wind farms that comprises an overhead power line across fields (a distance of approximately 2kms).
- 1.3. In total, the grid connections comprise approximately 26km of underground cable and approximately 2kms of overhead powerline. Road and bridge markers identify the locations of the former. The latter comprises 3 No. cables on single wooden poles. All comprise 20kV circuits.

2.0 Development Description

- 2.1. Underground electricity cable connecting the Crory Windfarm Group in County Wexford to the National Grid at Crory ESB substation, Co. Wexford. The development seeking substitute consent consists of the as constructed 20kV electricity grid connection elements consisting of approximately 26km of underground cables and approximately 2km of overhead lines. The grid connection was constructed in 2012 and 2013 and the permissions for the 4 windfarms in the Crory Windfarm Group were originally granted between 2004 and 2011. The 4 windfarms in the Crory Windfarm Group are Ballycadden, Ballynancoran, Gibbet Hill and Knocknalour. The as constructed underground cables generally consists of

cables within a trench which was excavated to a depth of c. 1.2m to a maximum width of 2.2m. It is intended that the cables will be retained as a permanent structure and will not be decommissioned.

2.2. The application documentation includes the following:

- Remedial Environmental Impact Assessment Report (rEIAR)
- Remedial Natura Impact Statement (rNIS) which includes a Remedial Appropriate Assessment Screening Report as Appendix 1.
- Planning Report

2.3. **Planning Authority Reports**

2.3.1. Planning Reports

- None.

2.3.2. Other Technical Reports

- None.

2.4. **Prescribed Bodies**

2.4.1. Responses were received from the following prescribed bodies:

Transport Infrastructure Ireland

No observations.

Irish Aviation Authority

No observations.

HSE

It is noted that the rEIAR does not fully describe alternatives for the grid connection route. It notes that there was potential for environmental and public health effects during the construction phase. It is stated that the Environmental Health Department have not been made aware of any significant environmental or public health impacts and have not received any complaints. It is acknowledged that the development

contributes to meeting Ireland's 2020 renewable energy target and EU targets for renewable energy by 2030, and a commitment to transition to a low carbon economy by 2050. It is likely that some impacts on the environment and public health arose as a result of the construction of the grid connection but these were temporary and mitigated to reduce the likelihood of a significant impact. Further likely significant impacts are not expected as a result of normal operation of the grid connection.

2.5. Third Party Observations

2.5.1. None submitted.

3.0 Planning History

3.1. The four separate windfarms listed below became operational at different times in 2012 and 2013 and may be summarised as follows:

Ballycadden Wind Farm PA Reg. Ref. 20091730

Permission granted for wind farm comprising of 9 No. turbines. Relevant conditions include the following:

7. Prior to commencement of works on site, the applicant shall obtain planning permission for connection of the wind farm to the National Grid.

Reason: *In the interest of clarity and the proper planning and sustainable development of the area.*

15. This permission shall not in any way be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: *In the interest of clarity and the proper planning and sustainable development of the area.*

The application included an EIS.

Gibbet Hill Wind Farm PA Reg. Ref. 20090266

Permission granted for wind farm comprising 6 No. turbines. Relevant conditions include the following:

7. Prior to commencement of works on site, the applicant shall obtain planning permission for connection of the wind farm to the National Grid.

Reason: *In the interest of clarity and the proper planning and sustainable development of the area.*

17. This permission shall not in any way be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: *In the interest of clarity and the proper planning and sustainable development of the area.*

This application included an EIS.

Knocknalour Wind Farm PA Reg. Ref. 20110504

Permission granted for wind farm comprising 4 No. turbines.

Condition No. 8 required the following:

Prior to commencement of works on site, the applicant shall obtain planning permission for connection of the wind farm to the National Grid.

Reason: *In the interest of clarity and the proper planning and sustainable development of the area.*

This application included an EIS.

Ballynancoran Wind Farm PA Reg. Ref. 20033444

Permission granted for wind farm, comprising 2 No. turbines.

Condition No. 10 required the following:

Prior to the commencement of development, planning permission shall be obtained for the erection of powerlines to facilitate the connection of the proposed wind turbines to the national grid.

Reason: *In the interest of the proper planning and development of the area.*

3.2. Referrals

3.2.1. Four separate referrals were made to the Board in relation to the CWFG grid connection ABP Ref RL3408/09/10/11. The common query to those referrals was if the provision of the grid connection to each of the wind farm sites constituted exempt development. Whilst processed separately for procedural reasons, the Planning Inspector prepared one report to cover all referrals as they related to four grid connections form a single substation to four wind farms in the same area, the connection routes are in part the same and the question was the same in all cases.

3.2.2. The Board Order concluded as follows:

- (a) the said grid connections come within the scope of sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended, and constitute development,
- (b) the said grid connections come within the scope of Classes 26 and 27 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) the said grid connections do not come within the scope of section 4(4) of the said Act.

In this regard the Board adopts the report of the Inspector in relation to Environmental Impact Assessment and Appropriate Assessment and, thereby, has carried out the necessary assessments to conclude that neither Environmental Impact Assessment nor Appropriate Assessment was required,

- (d) the said grid connections come within the scope of article 9(1)(a)(i) of the said Regulations, as their construction contravened conditions numbers 7, 7, 8 and 10 of planning register reference numbers 20091730; 20090266; 20110504; and 20033444 respectively, being the planning permissions for the relevant wind farms (Ballycadden; Gibbet Hill; Knocknalour; Ballynancoran),

(e) the said grid connections do not come within the scope of articles 9(1)(a)(iii), (v), (vi), (vii), (viiA) or (viiB) or article 9(1)(c) of the said Regulations, and

(f) as the wind farms for which the grid connections were required were approved, and constructed, prior to the O’Grianna decision, and the said grid connections were also constructed prior to that decision, the Board can proceed to decide the subject referral, including the consideration of Environmental Impact Assessment and Appropriate Assessment to the extent that is necessary, in accordance with the relevant legislative provisions:

THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the said provision of grid connections from the Crory 110kV/Lodgewood 220kV substation to the Ballycadden, Gibbet Hill, Knocknalour and Ballynancoran wind farms in County Wexford is development and is not exempted development.

3.3. Application for Leave To Apply for Substitute Consent ABP Ref. 301989-18

- 3.3.1. Permission was granted for leave to apply for substitute consent under section 177D of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below:

Having regard to Section 177D of the Planning and Development Act, 2000, as inserted by Section 57, Planning and Development (Amendment) Act, 2010, the Board is satisfied that an environmental impact assessment and an appropriate assessment are required.

Furthermore, the Board examined whether or not exceptional circumstances exist such that it would be appropriate to permit the regularisation of the development by permitting leave to make an application for substitute consent. In this regard the Board considered –

(a) that the regularisation of the development would not circumvent the purpose and objectives of the Environmental Impact Assessment Directive or of the Habitats Directive,

(b) that the applicant could reasonably have had a belief that the development was not unauthorised,

(c) that the ability to carry out an environmental impact assessment and an appropriate assessment and for the public to participate in such assessments has not been substantially impaired,

(d) the nature of the actual/likely significant effects on the environment or adverse effects on the integrity of a European site resulting from the carrying out of the development, and

(e) that the actual or likely significant effects on the environment or adverse effects on the integrity of a European site, if any, could be remedied.

Taking all of the above into consideration, it is considered that exceptional circumstances do exist such that it would be appropriate to permit the opportunity for the regularisation of the development by permitting an application for substitute consent.

4.0 Policy Context

4.1. Renewal Energy Directive

The Renewable Energy Directive is the legal framework for the development of clean energy across all sectors of the EU economy, supporting cooperation between EU countries towards this goal.

Given the need to speed up the EU's clean energy transition, the Renewable Energy Directive EU/2018/2001 was revised in 2023. The [revised Directive EU/2023/2413](#) entered into force on 20 November 2023. There will be an 18-month period to transpose most of the directive's provisions into national law, with a shorter deadline of July 2024 for some provisions related to permitting for renewables. It sets an overall [renewable energy target](#) of at least 42.5% binding at EU level by 2030 - but aiming for 45%.

4.2. Project Ireland 2040 – National Development Plan 2021-2030

The NDP sets out the investment priorities that will underpin the implementation of the NPF National Strategic Outcome (NSO) 8 - Transition to a Low Carbon and Climate Resilient Economy.

The National Climate Policy Position on Climate Action and Low-Carbon Development identifies the achievement of a climate-resilient economy and society by 2050 as a central objective. This objective will shape investment choices over the coming decades in line with the National Mitigation Plan and the National Adaptation Framework.

4.3. Ireland's Transition to a Low Carbon Energy Future 2015-2030

This is a framework to guide policy up to 2030. It sets out a vision for transforming Ireland's fossil fuel-based energy sector into a clean, low carbon system. Under Directive 2009/28/EC the government is legally obliged to ensure that at least 16% of all energy consumed in the state is from renewable sources by 2020, with a subtarget of 40% in the electricity generation sector. It notes that onshore wind will continue to make a significant contribution but that the next phase of Ireland's energy transition will see the deployment of additional technologies as solar, offshore wind and ocean technologies mature and become more cost-effective.

4.4. Climate Action Plan 2023

The plan seeks to identify how Ireland will achieve its 2030 targets for carbon emissions by sector and through a series of actions. The overarching requirement as it relates to electricity requires transformational policies, measures and actions, and societal change to increase the deployment of renewable energy generation, strengthen the grid, and meet the demand for flexibility in response to the challenge. The plan seeks to reduce the State's greenhouse gas emissions by 51% by 2030. One of the plan's measures seeks to increase the proportion of renewable electricity

to up to 80% by 2030, including a target of 9 GW from onshore wind, 8 GW from solar and at least 5 Gigawatts of offshore wind energy by 2030.

4.5. DoEHLG Wind Energy Guidelines 2006

Relevant to the current development, the guidelines set out several design criteria for grid connections between wind energy and the national grid including the following:

The cost of underground connection from the compound to the national grid is generally prohibitive. This connection can thus be above ground in all but the most sensitive areas.

In order to reduce visual impact, connections should preferably be carried on wooden poles rather than lattice towers, except where necessary for changes in direction and within the compound.

4.6. Draft Revised Wind Energy Development Guidelines December 2019

Similar to the 2006 Guidelines, the Draft Revised Guidelines also note that underground grid connection for wind energy projects are considered the most appropriate environmental and/or engineering solution, particularly in sensitive landscapes.

4.7. Regional Spatial and Economic Strategy for the Southern Region

The RSES sets out the strategy to implement the National Planning Framework in the Southern Region. It recognises and supports the many opportunities for wind as a major source of renewable energy. Opportunities for both commercial and community wind energy projects should be harnessed, having regard to the requirements of DoHPLG Guidelines on Wind Energy.

Objective RPO 99 Renewable Wind Energy – to support the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.

- 4.8. The operative Development Plan is the **Wexford County Development Plan 2022-2028**.

Volume 10 of the Plan sets out the emerging 'Energy Strategy' for the County. Section 5.7 outlines wind farm development management standards. In relation to grid connection, details need to be submitted with the application and connections should be underground. Table 8 outlines Wind Energy Development Areas.

Map 7.1 of the Landscape Character Assessment indicates that the majority of the development is located in landscape designated as 'Uplands' with a small portion of the development located in landscape designated as 'Lowlands'.

5.0 Applicant's Case in Relation to Exceptional Circumstances

- 5.1.1. Following the enactment and commencement of the provisions of the Planning and Development, and Residential Tenancies Act 2020 on the 19th of December, 2020, the Board in a letter dated 6th July, 2021 under section 177K(1C)(a), invited the applicant to submit information in relation to exceptional circumstances. The Board is precluded from granting consent unless it is satisfied that exceptional circumstances exist, irrespective of whether this matter was already previously assessed by the Board at any leave for substitute consent phase.
- 5.1.2. Details of exceptional circumstances were submitted by the applicant on the 30th July 2021. The response was formulated in accordance with the seven criteria set out in Section 177D(2) of the Act. I note that Section 177D(2) applies only to applications for leave to apply. The equivalent provision in respect of applications for substitute consent was inserted by section 30 of the Planning and Development, Maritime and Valuation (Amendment) Act 2022, however, this provision (section 177K(1J)) has not yet commenced at the time of writing this report.
- 5.1.3. Section 177D(2) stipulates that in considering whether exceptional circumstances exist, the Board should have regard to prescribed matters as follows:
- 5.1.4. *Whether regularisation of the development concerned would circumvent the purpose and objectives of the Environmental Impact Assessment Directive or the Habitats Directive*

Response

The grid connection has been operational for c. 10 years and there is no evidence of any impacts on the environment. It is located primarily in public roads and does not cross any Natura 2000 site. The ecological assessments previously carried out for the 4 windfarms concluded that the wind farm developments would not have significant impacts on Natura 2000 sites. The rEIAR submitted with the current application demonstrates the lack of any additional environmental impacts from grid construction works and as such it is clear that there was no intention to circumvent the purpose and objectives of the EIA and/or Habitats Directive.

- 5.1.5. *Whether the applicant had or could reasonably have had a belief that the development was not unauthorised.*

Response

Historically there has been planning exemptions for the installation of underground cables and the erection of 20 kV overhead powerlines which were widely utilised. The applicant still believes that the grid connection should be considered exempted development notwithstanding the decisions issues by the Board in the referral cases.

- 5.1.6. *Whether the ability to carry out an assessment of the environmental impacts of the development for the purpose of an environmental impact assessment or an appropriate assessment and to provide for public participation in such an assessment has been substantially impaired.*

Response

The applicant reiterates that the previous applications were subject to appropriate assessment which included public participation and the current application has similarly been subject to public participation.

- 5.1.7. *The actual or likely significant effects on the environment or adverse effects on the integrity of a European site resulting from the carrying out or continuation of the development.*

Response

The underground cable was installed primarily in public roads and does not cross any Natura 2000 site. Further it is stated that there was no removal of, or interference with habitat within any European site. The remaining underground and overhead line sections were installed in improved grassland and/or existing tracks. The remedial EIAR confirms this.

- 5.1.8. *The extent to which significant effects on the environment or adverse effects on the integrity of a European site can be remediated.*

Response

It is stated by the applicant that the development has not caused significant impacts on the environment or the integrity of a European Site therefore no remedial measures are required for the completed development. Further it is stated that since the development was constructed in 2012 and 2013, the environment has re-established to its pre-existing condition prior to construction of the grid connection. It is stated that the rEIAR submitted with the application demonstrates that no significant effects have arisen.

- 5.1.9. *The extent to which significant effects on the environment or adverse effects on the integrity of a European site can be remediated.*

Response

It is stated by the applicant that the development has not caused significant impacts on the environment or the integrity of a European Site therefore no remedial measures are required for the completed development. Further it is stated that since the development was constructed in 2012 and 2013, the environment has re-established to its pre-existing condition prior to the construction of the grid connection. It is stated that the remedial EIAR confirms the above.

5.1.10. *Whether the applicant has complied with previous planning permissions granted or has previously carried out an unauthorised development.*

Response

It is the practice of ESNB to carry out developments in accordance with planning legislation. There is no evidence to demonstrate that unauthorised development has been previously carried out by the applicant.

5.1.11. *Other such matters that the Board considers relevant.*

Response

Applicant is unaware of any other matters that the Board would need to consider.

5.1.12. Conclusion

Applicant states that it has been demonstrated that exceptional circumstances exist such that the Board can determine the application in accordance with Section 177K(1A)(a) of the Planning and Development Act.

6.0 **Assessment**

6.1. **Introduction**

6.1.1. This application relates to a grid farm connection to four individual windfarms. An application for leave to appeal for substitute consent was made following a determination by An Bord Pleanála in July 2016 that the provision of grid connections to the Ballycadden, Gibbet Hill, Knocknalour and Ballynancoran wind farms was not exempted development. Permission was granted for leave to apply for substitute consent under section 177D of the Planning and Development Act 2000, as amended, and the Board considered that exceptional circumstances did exist such that it would be appropriate to permit the opportunity for the regularisation of the development by permitting an application for substitute consent.

6.1.2. The application for substitute consent consists of the as constructed 20kV electricity grid connection elements which connect to the four separate windfarms collectively referred to as the Crory Wind Farm Group to the national grid at Crory ESB substation, Co. Wexford. Following the enactment and commencement of the provisions of the Planning and Development, and Residential Tenancies Act 2020 on the 19th of December, 2020, the Board in a letter dated 6th July, 2021 under section 177K(1C)(a), invited the applicant to submit information in relation to exceptional circumstances. Details of exceptional circumstances were submitted by the applicant on the 30th July 2021. No observations were received by the Board on foot of the publication of new site and newspaper notices.

6.1.3. This assessment is set out in three parts as follows:

- Planning Assessment
- Remedial Environmental Impact Assessment
- Remedial Appropriate Impact Assessment

There is an inevitable degree of overlap between the assessments, however I will endeavour to avoid undue repetition.

7.0 Planning Assessment

7.1. The main planning issues in this application relation to the following:

- Principle of Development
- Exceptional Circumstances.

Principle of Development

7.1.1. It is clear from the policies set out in Section 7 above that there is substantial support at national, regional and local level for the development of the electricity network and for renewable energy projects, such as that which would be facilitated by the existing development. I therefore consider that the retention of the development is acceptable in principle.

Exceptional Circumstances

- 7.1.2. The applicant was granted leave to appeal for substitute consent under ABP 301989-19 on the 26th of June 2019. The Board Order considered that exceptional circumstances exist.
- 7.1.3. The Board in a letter dated 6th July, 2021 under section 177K(1C)(a), invited the applicant to submit information in relation to exceptional circumstances. Following this request, the applicant submitted information to the Board in relation to exceptional circumstances in a letter dated the 30th of July 2021. I consider that this information is very similar to the information previously submitted to the Board in the leave to appeal application. No observations have been submitted to the Board. Taking the tests undertaken in turn, my assessment is as follows:

(a) Whether regularisation of the development concerned would circumvent the purpose and objectives of the Environmental Impact Assessment Directive or the Habitats Directive

- 7.1.4. The purposes of the EIA and Habitats Directive are to determine if a proposed development is likely to have significant effects on the environment or on a European site designated under the Habitats Directive.
- 7.1.5. The existing turbines at each of the wind farms have already gone through the EIA process. It is noted that the grid connection subject of this case was constructed in 2012 and 2013. The grid connection works are located primarily in public roads and do not cross any Natura 2000 sites. It is stated that there was no removal of or interference with habitat within any European site and that there is no known rare or protected flora or habitat along the route of the grid connection.
- 7.1.6. Taking a balanced approach, I do not consider that the regularisation of the development would circumvent the purpose and objectives of the EIA or Habitats Directives.

(b) Whether the applicant had or could reasonably have had a belief that the development was not unauthorised.

- 7.1.7. The applicant considers that the development of the grid connection constitutes exempted development. It is stated that the applicant still considers that the works are not unauthorised but is making this application without prejudice to those beliefs.
- 7.1.8. It is clear that from the documentation submitted to the Board in the history cases on the site that the applicant considered that the development was not unauthorised at the time it was carried out. I note in particular that the applicant received written permission from Wexford County Council that they were satisfied with compliance proposals in relation to relevant planning conditions. As such, it is concluded that the applicant could reasonably have had the belief that the development was permissible.

(c) Whether the ability to carry out an assessment of the environmental impacts of the development for the purpose of an environmental impact assessment or an appropriate assessment and to provide for public participation in such an assessment has been substantially impaired.

- 7.1.9. The applicant reiterates that the previous applications were subject to appropriate assessment which included public participation and the current application has similarly been subject to public participation. I share the view of the applicant and consider that there has been no impairment of public participation in this particular application.

(d) The actual or likely significant effects on the environment or adverse effects on the integrity of a European site resulting from the carrying out or continuation of the development.

- 7.1.10. It is stated by the applicant that the underground cable was installed primarily in public roads and does not cross any Natura 2000 site. Further it is stated that there was no removal of, or interference with habitat within any European site. Further it is stated that since the development was constructed in 2012 and 2013, there is no evidence of significant environmental or adverse impacts on the integrity of any

European site. The remaining underground and overhead line sections were installed in improved grassland and/or existing tracks. The remedial EIAR and remedial NIS confirm this.

(e) The extent to which significant effects on the environment or adverse effects on the integrity of a European site can be remediated.

- 7.1.11. It is stated by the applicant that the development has not caused significant impacts on the environment or the integrity of a European Site therefore no remedial measures are required for the completed development. Further it is stated that since the development was constructed in 2012 and 2013, there is no evidence of significant environmental or adverse impacts on the integrity of any European site.
- 7.1.12. The remedial EIAR and remedial NIS confirm the above and as such no remediation measures are proposed. In addition, I note that the report on file submitted by the HSE states that 'it likely that some impacts on the environment and public health arose as a result of the construction of the grid connection but these were temporary and mitigated to reduce the likelihood of a significant impact.' It is stated that 'further likely significant impacts are not expected as a result of normal operation of the grid connection.' I concur with this view.

(f) Whether the applicant has complied with previous planning permissions granted or has previously carried out an unauthorised development.

- 7.1.13. The applicant submitted compliance information to the Planning Authority and has complied with the conditions of permission other than the conditions relating to grid connection. There is no evidence to demonstrate that unauthorised development has been previously carried out by the applicant.

(g) Other such matters that the Board considers relevant.

- 7.1.14. The applicant's response states that no other matters need to be considered by the Board. I concur with this view.

8.0 Remedial Environmental Impact Assessment

8.1. Introduction

- 8.1.1. The applicant has submitted a remedial Environmental Impact Assessment Report (rEIAR), and a non-technical summary, which were prepared under the EIA Directive (2014/52/EU) and the corresponding provisions in the Planning and Development Act, 2000 – 2023 (hereafter referred to as "The Act"), and the Planning and Regulations, 2001 – 2023 (hereafter referred to as "The Regulations").
- 8.1.2. I have examined the information submitted by the applicant in its rEIAR and the submissions made by the external consultees of the Planning Authority, i.e. the HSE.
- 8.1.3. The rEIAR contains the information specified under Schedule 6 to Article 94 of the Planning and Development Regulations, 2001 – 2023 (hereafter referred to as the Regulations). It identifies, describes, and assesses the likely effects of the project on the environment, along with accompanying references, and it lists the experts and their qualifications who contributed to the rEIAR.
- 8.1.4. The applicant reports that it encountered no difficulties in preparing its rEIAR.
- 8.1.5. I conclude that the applicant's rEIAR complies with the provisions of Article 94. I will draw upon it in undertaking an EIA of the proposal. In doing so, I will assess each subject in turn before looking at their interactions with one another.

8.2. Alternatives

- 8.2.1. The current application is for substitute consent and so it addresses development that has already occurred on the site. In these circumstances, the need to consider alternatives does not arise.

8.3. Likely Significant Direct and Indirect Effects

- 8.3.1. The likely significant indirect effects of the development are considered under the headings below which follow the order of the factors set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and human health
- Biodiversity flora and fauna
- Geology and soils
- Hydrology and Hydrogeology
- Air and Climate
- Noise and Vibration
- Landscape and Visual Impact
- Archaeology and Cultural Heritage
- Material Assets
- Interaction of Effects

8.4. Population and human health

- 8.4.1. The majority of the grid connection route is located within the public road corridor and does not pass through any significant settlements. Figure 4.1 indicates a significant number of one off houses within 100m of the grid connection route.
- 8.4.2. During the construction phase, the grid connection works required the use of machinery along the public road, which in the absence of mitigation or health and safety plans could have posed a potential hazard to construction workers and members of the public. This is considered to be a short-term potential significant negative impact. Mitigation measures were implemented including management of construction works, adherence to a Health and Safety Plan, advance notification and segregation of works from the general public.
- 8.4.3. The development would not have had any significant effect on population or human health during construction nor would it be likely to have such an effect during its operation.

8.5. Biodiversity

- 8.5.1. The applicant's ecologist undertook a desktop review together with walkover studies. It is stated that the multi-disciplinary walkover surveys were carried out on the 14th and 15th of November 2019. The development is not in or immediately adjacent to any Natura 2000 site. Table 5.2 outlines designated sites within 15km of the development.
- 8.5.2. No EU Habitats Directive Annex species were recorded within the works area during field surveys. Habitats exist in the wider area that would support a number of European protected species such as Otter, Bat and Freshwater Mussel Pearl.
- 8.5.3. During the construction phase it was considered that no significant effects occurred as all grid connection works took place either in the curtilage of the existing road or in the case of the overhead line through agricultural land categorized as improved grassland and arable crop. These habitats were categorized as Lower Importance and have been reinstated as part of the completed works.
- 8.5.4. No works are required during the operational phase of the grid connection and therefore there is no potential for any ecological effects as a result of the development.
- 8.5.5. The rEIAR concludes that the grid connection development has not had any significant impacts on any flora or fauna of significant ecological importance during the construction phase nor will it have a significant ecological impact during the operational phase of the development. This is based on the following:
- The location of the development in habitats of low ecological significance, i.e. within the existing road and in the case of the overhead line, agricultural lands.
 - Absence of protected flora species and fauna species and breeding territories deemed to be of high conservation concern.
 - Best practice design and control measures which have been incorporated into the design of the development and adhered to during construction works.

I concur with this conclusion.

8.6. Geology and Soils

- 8.6.1. The cable route is located primarily in public roads with short sections located in farm tracks and crossing farm fields. Since the grid connection was constructed predominantly within existing public roadway, the majority of the soils within the cable route had previously been disturbed as a result of road construction. The soils and subsoil resource at and adjacent to the subject development are considered to be of low value. A bedrock geology map of the area is included in Figure 6.3 of the rEIAR. The bedrock and aquifer receptors at and adjacent the subject site are considered to be of low value. Trenching resulting in the excavation of existing fill, topsoil, subsoil and bedrock was required for the installation of the grid connection cable ducts. Measures to prevent subsoil erosion during excavation and reinstatement were undertaken to prevent water quality impacts.
- 8.6.2. The rEIAR concluded that no significant impacts on land, soil and geology have occurred or will occur as a result of the construction and operation of the grid connection and I concur with this conclusion.

8.7. Hydrology and Hydrogeology

- 8.7.1. Chapter 7 of the submitted rEIAR deals with the potential hydrological impacts of the development. The Ballycadden, Ballynancoran, Gibbet Hill, and Knocknalour Wind Farms as well as the grid connection route that serves them are located within the River Slaney surface water catchment. Various measures were put in place during the construction phase including drainage control measures, sediment control measures and mitigation measures related to spills/ chemical releases. It is stated that the hydrological regime locally was not affected by the works and that there is no evidence of negative impacts on surface water as a result of the construction of the grid connection. There are no impacts associated with the operational phase of the wind farm or grid connection. This is consistent with my observations on inspection of the site.

8.8. Air and Climate

- 8.8.1. Air quality sampling was deemed unnecessary due to the non-industrial nature of the subject development and general character of the surrounding environment. It is likely that air quality is good since there are no major sources of air pollution in the vicinity of the site.
- 8.8.2. The potential for dust emissions from the cable connection works are related to excavations and vehicle movements. These movements are considered imperceptible given the small scale of the works areas and the temporary and transient nature of the work. During construction mitigation measures to control dust included the inspection of roads adjacent to the site and cleaning as necessary together with the movement of soils and other materials in tarpaulin covered vehicles.
- 8.8.3. It is considered that the underground electricity cabling works has a possible effect on air quality during its operational phase as it facilitates the transmission of renewal energy, thereby reducing the emissions associated with traditional energy generation from fossil fuels.
- 8.8.4. In terms of climate, the rEIAR considers that there would have been no significant impact on climate during the construction phase. During the operational phase, it is considered that there would be a positive impact through the transmission of energy from a renewable source to the national grid. I concur with this analysis.

8.9. Noise and Vibration

- 8.9.1. In terms of noise, the rEIAR notes that there would have been impacts during the construction phase due to the use of machinery. It is noted that the noise effects were short term and temporary in nature. Best practice measures for noise and vibration control were adhered to during the construction phase including reduced working hours, selection of appropriate plant and the correct fitting and proper maintenance of silencers and/or enclosures.
- 8.9.2. In terms of vibration, the rEIAR notes that due to the limited nature of construction activities in the construction phase, the likely impacts during the construction phase were temporary and not significant.

8.9.3. There is no noise or vibration generated by the grid connection during the operational phase.

8.10. Landscape and Visual Impact

8.10.1. Due to the nature of the existing underground cabling, the grid connection will not have a detrimental impact on the existing landscape. Approximately 26km of the grid connection route consists of underground cable and approximately 2km consists of an overhead line between Knocknalour and Ballynancoran windfarms. The above ground section of the grid connection is similar in nature to the common electricity connections found across the countryside as demonstrated by Plate 10-1 of the rEIAR.

8.11. Archaeology and Cultural Heritage

8.11.1. No national or recorded monuments are located within 100m of the route of the grid connection. Given the primarily underground nature of the grid connection no impacts to the setting of any cultural heritage assets have been identified.

8.12. Material Assets

8.12.1. The rEIAR acknowledges that there was potential for short term nuisance to local road users and residents along the grid connection route during the construction phase. Mitigation measures were put in place and a road opening licence was required from Wexford County Council on all roads within the public road network. The grid connection will not generate additional traffic during the operational phase except for minimal traffic for maintenance purposes.

8.13. Interaction of Effects

8.13.1. The applicant identifies the interactions between the above factors in Table 13.1 of the rEIAR. No significant residual impacts associated with the interactions of environmental factors are identified. Having regard to the nature of the existing development, the receiving environment and the foregoing chapters of the EIAR, I

am satisfied that the summary of the potential for interactions between environmental factors is reasonable.

8.14. Reasoned Conclusion on Significant Effects

Having regard to the nature and scale of the existing underground and overground grid connection route, to the environmental information available in connection with the current application, including the rEIAR, as well as the condition of the site and adjoining area observed during the site inspection, I am satisfied that the existing development would not have any unacceptable direct or indirect effects on the environment.

9.0 **Appropriate Assessment Screening**

9.1. Compliance with Article 6(3) of the Habitats Directive

- 9.1.1. Compliance with Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000, as amended, are considered fully in this section.

9.2. Background to Application

- 9.2.1. The application was accompanied by a remedial Appropriate Assessment Screening and a remedial Natura Impact Statement.
- 9.2.2. Having reviewed the documents and submissions, I am satisfied that the information allows for a complete examination and identification of any potential effects of the development, alone, or in combination with other plans and projects on European sites.

9.3. Screening for Appropriate Assessment - Test of likely significant effects

- 9.3.1. The existing development is not directly connected with or necessary to the management of a European site and therefore it needs to be determined if the development is likely to have significant effects on any European sites.

9.3.2. The existing development is examined in relation to any possible interaction with European sites to assess whether it has or can give rise to significant effects on any European Site.

9.3.3. Taking account of the characteristics of the existing development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on European sites:

- Construction phase impacts on surface water due to pollution or contamination with silt, chemicals, oils, hydrocarbons, etc.
- Habitat disturbance/ species disturbance (construction and/or operational)

9.4. Submissions and Observations

9.4.1. There were no third party observations. The HSE submitted comments in relation to the development as summarised elsewhere in this report. There is no submission from the Planning Authority.

9.5. European Sites

9.5.1. The development site is not located in or immediately adjacent to a European site. The applicant's remedial AA Screening Report considers European Sites within 15km of the existing development. Having regard to the nature of the existing development, the nature of the receiving environment and the source-pathway-receptor model, I consider this to be a reasonable zone of influence.

9.5.2. Table 1

European Site	Site Code	Relevant QI and SCI	Distance and ecological connection
Wexford Harbour and Slob SPA	004076	Little Grebe Great Crested Grebe Cormorant Grey Heron	9.7km Hydrological connection

		Bewick's Swan	
		Whooper Swan	
		Light-bellied Brent Goose	
		Shelduck	
		Wigeon	
		Teal	
		Mallard	
		Pintail	
		Scaup	
		Goldeneye	
		Red-breasted Merganser	
		Hen Harrier	
		Coot	
		Oystercatcher	
		Golden Plover	
		Grey Plover	
		Lapwing	
		Knot	
		Sanderling	
		Dunlin	
		Black-tailed Godwit	
		Bar-tailed Godwit	
		Curlew	
		Redshank	
		Black-headed Gull	
		Lesser Black-backed Gull	
		Little Tern	
		Greenland White-fronted goose	
		Wetlands	

River Barrow and River Nore SAC	002162	Desmoulin's whorl snail	14.2km
		Freshwater pearl mussel	No
		White-clawed crayfish Sea lamprey	
		Brook lamprey River lamprey	
		Twaite shad	
		Atlantic salmon (only in fresh water) Estuaries	
		Mudflats and sandflats not covered by seawater at low tide	
		Salicornia and other annuals colonizing mud and sand	
		Atlantic salt meadows	
		Otter Mediterranean salt meadows	
		Killarney fern Nore freshwater pearl mussel	
		Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche-Batrachium vegetation	
		European dry heaths	
		Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	
		Petrifying springs with tufa formation	
		Old sessile oak woods with Ilex and Blechnum in the British Isles	
		Alluvial forests with Alnus glutinosa and Fraxinus excelsior.	

Blackstairs Mountains SAC	000770	Northern Atlantic wet heaths European dry heaths	No 8km
Slaney River Valley SAC	000781	Freshwater Pearl Mussel Sea Lamprey Brook Lamprey River Lamprey Twaite Shad Atlantic Salmon (only in fresh water) Estuaries Mudflats and sandflats not covered by seawater at low tide Otter Harbour Seal Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche-Batrachium vegetation Old sessile oak woods with Ilex and Blechnum in the British Isles Alluvial forests with Alnus glutinosa and Fraxinus excelsior	Hydrological Connection 1.5km

9.5.3. I am satisfied that other European sites outside of this potential zone of influence can be discounted as having potential for significant effects on the basis of separation distance and the lack of any complete source-pathway-receptor chain. The application site is not located within any of the European sites and hence I would agree with the applicant's finding of no significant effects as a result of direct impacts as a result of the existing development.

- 9.5.4. In relation to consideration of the Slaney River Valley SAC (Site Code 000781), a hydrological pathway exists as all 10 watercourse crossings along the grid connection route provide hydrological downstream connectivity with the SAC. The watercourse crossing No. 1 at Ballycarney Stream provides the closest downstream hydrological connection at approximately 1.9km hydrological distance.
- 9.5.5. Given the source-pathway-receptor link between the two, I would agree with the remedial Appropriate Assessment Screening that the water quality of this site was vulnerable to potential indirect impacts during the construction phase. By consequence the potential for significant impacts on otter and Annex II fish species cannot be screened out. Therefore, this site requires further consideration at Appropriate Assessment- Stage 2.
- 9.5.6. In relation to consideration of Wexford Harbour and Slobbs SPA (Site Code 004076) a hydrological pathway exists as all 10 watercourse crossings along the grid connection provide downstream hydrological connection with this SPA. Therefore a potential pathway for indirect effects on the wetland and water birds exists in the form of deterioration of surface water quality during the construction phase. At its closest point the SPA is located approximately 15km hydrological distance downstream of the cable route.
- 9.5.7. Given the source-pathway-receptor link between the two, I would agree with the remedial Appropriate Assessment Screening that the water quality of this site was vulnerable to potential indirect impacts during the construction phase. Therefore, this site requires further consideration at Appropriate Assessment- Stage 2.
- 9.5.8. Given the separation distance and absence of any hydrological connection between Blackstairs Mountains SAC (000770) and River Barrow and River Nore SAC (002162), no complete source-pathway-receptor chain could be identified. Therefore, I would agree that these sites can be screened out.

9.6. Appropriate Assessment Stage 1- Screening Conclusion

- 9.6.1. Potential for significant effects on the Slaney River Valley SAC (Site Code: 000781) and Wexford Harbour and Slobbs SPA (Site Code: 004076), noting the sites

conservation objectives cannot be screened out for the reasons outlined above. Accordingly, a Stage 2 Appropriate Assessment is required.

9.6.2. It is reasonable to conclude on the basis of information on the file, which I consider to be adequate in order to issue a screening determination, that the existing development, individually or in combination with other plans or projects would not be likely to have a significant effect on the following European sites:

- River Barrow and River Nore SAC (Site Code: 002162)
- Blackstairs Mountains SAC (Site Code: 000770)

9.7. Appropriate Assessment Stage 2

9.7.1. The conservation objectives of the Slaney River Valley SAC (Site Code: 000781) are to maintain or restore the favourable conservation condition of Annex 1 Habitats and Annex 2 species for which the SAC has been selected. The key surface and groundwater dependent species and habitats of qualifying interest of this SAC which could potentially be impacted by the existing development as set out in Table 1 above. As the development is not within the SAC, there is no potential for direct impacts on the habitats and species of qualifying interest.

9.7.2. Wexford Harbour and Slobbs Harbour SPA (Site Code: 004076) is a site of international importance for several species of waterbirds but also because it regularly supports well in excess of 20,000 waterbirds. Wexford Harbour and Slobbs is one of the top three sites in the country for numbers and diversity of wintering birds. It is one of the most important ornithological sites in the country supporting internationally important populations of Greenland White-fronted Goose, Light-bellied Brent Goose, Black-tailed Godwit and Bar-tailed Godwit. In addition, it has 26 species of wintering waterbirds with populations of national importance and nationally important numbers of breeding Little Tern.

9.7.3. As noted in the Conservation Objectives for the site, the SPA is adjacent to the Raven SPA and these SPAs overlap with Raven Point Nature Reserve and Slaney River Valley SAC. The conservation objectives for this site should be used in conjunction with those for adjacent and overlapping designations as appropriate. The conservation objectives for the species seek to maintain the favourable conservation

condition of the qualifying interest. The conservation interests for the Slaney River Valley SAC are to maintain or restore the favourable conservation condition of Annex 1 Habitats and Annex 2 species for which the SAC has been selected.

9.7.4. There is no potential for direct impacts on the habitats and species of qualifying interest in either the Slaney River Valley SAC or Wexford Harbour and Slobbs SPA as the development is located outside the boundary of these sites.

9.7.5. In the absence of mitigation during construction there was potential for indirect impacts on water dependent habitats and species of qualifying interest in the form of deterioration of water quality resulting in sediment release and potential for pollution. Section 6.2.1.1.1 of the remedial N.I.S outlines the preventative measures taken during the construction phase to avoid impacts on water quality which can be summarised as follows:

- Minimal refuelling or maintenance of construction vehicles or plant within works area.
- Regular inspection of plant.
- Good maintenance of plant.
- Use of ready mixed cement and concrete pouring only on dry days.
- Minimum ground disturbance.
- No in-stream work occurred to facilitate stream crossings along the cable route.

9.7.6. It is noted that the key mitigation measure during the construction phase was the avoidance of sensitive aquatic areas. The majority of the grid route is located within the paved area of existing roads and therefore resulted in no direct impacts on surface waters. Watercourse crossings were achieved by placing cable ducts above culverts and in bridge decks. Two watercourse crossings (Nos. 1 and 6) were achieved using a horizontal directional bore technique as the bridge deck was determined to be unsuitable to accommodate the cable ducts. No in-stream work occurred during the construction of the grid connection. It is noted that in the operational phase no impacts were envisaged as there will be no disturbance of ground or use of machinery and no deep excavation took place.

9.7.7. It is submitted that the ground connection route project did not adversely affect surface or ground water during construction or operation. It is also submitted in Section 7.3 of the remedial NIS that there was no potential for negative impacts on the habitats and species of the SAC and SPA.

9.7.8. Overall, I am satisfied that the existing development would not adversely affect the integrity of the aforementioned European designated sites, having regard to the conservation objectives for the sites as set out above and no reasonable scientific doubt remains in the absence of such adverse effects on the sites as a result of the existing development.

9.8. In-combination effects

9.8.1. The potential of in combination effects was considered in Section 8 of the remedial NIS. There are a number of other wind farm sites within the wider area of the subject grid connection including Ballyduff and Ballaman which though they share portions of the same underground cable route and sections of the same excavated trench used by CWFG for the subject grid connection, are not part of the wind farm group.

9.8.2. I am satisfied that the current site would not act in combination with any other projects such as to result in any significant effects on the Slaney River Valley SAC and the Wexford Harbour and Slobbs SPA or any of the qualifying features for which these sites are designated, having regard to their conservation objectives.

9.9. Appropriate Assessment Stage 2 Conclusion

9.9.1. On the basis of the information provided with the application, including the remedial Natura Impact Statement, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, the submissions received and the assessment carried out above, I am satisfied that the existing development, individually or in combination with other plans or projects would not adversely affect the integrity of the European Sites: Slaney River Valley SAC 000781 or Wexford Harbour and Slobbs SPA 004076 or any other European site, in view of the sites Conservation Objectives.

9.10. Conclusion

In overall conclusion, having regard to the foregoing assessment, I consider, based on the information submitted, that the existing development, in terms of the principle of development, the likelihood of significant environmental effects and the likelihood of significant adverse effects with regard to European designated sites is acceptable subject to conditions set out hereunder. As is outlined above, the potential for adverse impacts has been adequately mitigated for and no significant residual impacts remain. The provision of a secure and reliable energy supply within Ireland is essential to the country's economic growth and the prosperity of the population and this is supported in policy at a European, national, regional and local level within the Wexford County Development Plan.

10.0 **Recommendation**

10.1. I recommend that the Board grant substitute consent in accordance with the following Draft Order:

Decision – Draft Order

The Board, in accordance with section 177K of the Planning and Development Act 2000, as amended, and based on the Reasons and Considerations set out below, decided to **GRANT** substitute consent in accordance with the following conditions.

Reasons and Considerations

In coming to its decision the Board had regard, inter alia, to the following:

- (a) Section 177K(2) of the Planning and Development Act, as amended,

- (b) the applicable national, regional and local planning policy including in particular the provisions of the Wexford County Development Plan 2022-2028,
- (c) the planning history of the site,
- (d) the remedial Environmental Impact Statement Report and the remedial Natura Impact Statement and supporting documentation submitted with the application for substitute consent,
- (e) the mitigation measures undertaken during construction,
- (f) the pattern of development in the area and the planning history of the site and adjoining lands,
- (g) the nature and scale of the development the subject of this application for substitute consent, and
- (h) the report of the Board's Inspector, including in relation to potential significant effects on the environment.

It is considered that the windfarm grid connection following mitigation has not had a significant effect on the environment nor has it had a significant adverse effect on nearby European sites. It is further considered that, subject to compliance with the conditions set out below, it would have neither a significant effect on the environment nor a significant adverse effect on nearby European sites in the future. Thus, to grant substitute consent to this grid connection would accord with the proper planning and sustainable development of the area.

Remedial Environmental Impact Assessment

The Board completed an Environmental Impact Assessment in relation to the development that has taken place, taking account of:

- (a) the nature, scale, location and extent of the development for substitute consent,
- (b) the remedial Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions received from prescribed bodies,
- (d) the Inspector's assessment on environmental effects as set out in the Inspector's Report;

The Board considered that the remedial Environmental Impact Assessment report, supported by information provided by the applicant during the course of the application, identifies and describes adequately the direct and indirect effects on the environment of the development that has taken place. The Board is satisfied that the information contained in the remedial Environmental Impact Assessment Report (rEIAR) complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board concluded that, subject to the implementation of the mitigation measures proposed in the rEIAR, and subject to compliance with the conditions set out below, the effects on the environment of the development that has taken place, by itself and in combination with other plans and projects in the vicinity, has been, and would be, acceptable. In doing so, the Board considered that the Inspector's report was satisfactory in addressing the environmental effects of the development, agreed with the Inspector's conclusions in relation to the acceptability of mitigation measures and residual effects, and adopted her analysis and conclusions in this regard. The Board considered, and agreed with the inspector's reasoned conclusions, that the main significant direct and indirect effects of the development that has taken place on the environment and measures to avoid, prevent or reduce such effects were as follows:

Land, soil and geology

The cable route is located primarily in the public route network and the grid connection route required trenching resulting in the excavation of existing fill, topsoil, subsoil and bedrock. Mitigation measures were put in place to prevent subsoil erosion during excavation and reinstatement in order to prevent water quality impacts. Having regard to the information on file there is no evidence that adverse impacts occurred as a result of the grid connection route.

Hydrology and Hydrogeology

Construction phase activities associated with the grid connection route had the potential to result in the release of suspended solids to surface watercourses and could result in an increase in suspended solids with potential for degradation of water quality and fish stocks of downstream waters. Such impacts are stated to have been mitigated against by various measures including drainage control measures, sediment control measures, and mitigation measures related to spills/ chemical releases. It is stated that the hydrological regime locally was not affected by the works and that there is no evidence of negative impacts on surface water as a result of the construction of the grid connect. There are no impacts associated with the operational phase of the wind farm or grid connection.

Appropriate Assessment

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Slaney River Valley SAC (Site Code 000781) and Wexford Harbour and Slob SPA (Site Code 004076) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Board considered the remedial Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the existing development for the affected European Sites, namely the Slaney River Valley SAC (Site Code 000781) and Wexford Harbour and Slob SPA (Site Code 004076) in view of the site's conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the existing development both individually or in combination with other plans or projects,

- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the existing development on the integrity of the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the existing development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the site's conservation objectives.

Proper Planning and Sustainable Development/Likely effects on the environment:

Having regard to Europe's critical need to provide for renewable energy rapidly, to provide for energy security, and the Renewable Energy Directive, as regards the promotion of energy from renewable sources, it is considered that exceptional circumstances arise to grant substitute consent.

It is considered that subject to compliance with the conditions set out below the windfarm grid connection project would accord with European, national, regional, and local planning and related policy. Following mitigation measures, the effects on the environment or the community in the vicinity from the development would come within acceptable standards, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not adversely impact on the cultural, archaeological and built heritage of the area and would be acceptable in terms of traffic safety and convenience.

Following the implementation of mitigation measures during construction, the windfarm grid connection project did not have a long-term impact on ecology and biodiversity.

The windfarm grid connection project was, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1.	<p>The grant of substitute consent shall be in accordance with, the plans and particulars submitted to An Bord Pleanála with the application, except as may otherwise be required to comply with the following condition. Where such conditions require details to be a development shall be retained, operated, and decommissioned in accordance with the plans and particulars lodged with the application, and as received by the Board on the 30th day of July 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity and to ensure the protection of the environment and European sites.</p>
----	---

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emer Doyle
Planning Inspector

15th December 2023