



An  
Bord  
Pleanála

## Inspector's Report ABP-311427-21

<b>Development</b>	New 110kV substation and associated compound and ancillary equipment to facilitate the connection of Gaskinstown solar farm to the electricity transmission network.
<b>Location</b>	Garballagh and Commons, Duleek, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Applicant</b>	Highfield Solar Limited
<b>Type of Application</b>	Application under the provisions of Section 182A of the Planning and Development Act 2000, as amended
<b>Observer(s)</b>	Meath County Council Transport Infrastructure Ireland
<b>Date of Site Inspection</b>	25 <sup>th</sup> March 2022
<b>Inspector</b>	Niall Haverty

## Contents

1.0 Introduction .....	4
2.0 Project Background .....	4
3.0 Site Location and Description .....	5
3.1. Overview .....	5
3.2. Natural Heritage Designations .....	5
4.0 Proposed Development .....	6
5.0 Request for Further Information .....	7
6.0 Planning History .....	7
6.1. Application Site .....	7
6.2. Surrounding Area .....	8
7.0 Legislative and Policy Context .....	9
7.1. National Policy .....	9
7.2. Regional Policy .....	11
7.3. Local Policy .....	12
8.0 Submissions and Observations .....	14
8.1. Local Authority .....	14
8.2. Prescribed Bodies .....	16
8.3. Observers .....	17
8.4. Applicant's Response .....	17
9.0 EIA Screening .....	17
10.0 Oral Hearing .....	18
11.0 Planning Assessment .....	18
11.1. Introduction .....	18
11.2. Principle and Planning Policy .....	19

11.3.	Landscape and Visual Impact.....	21
11.4.	Flood Risk and Surface Water Management .....	24
11.5.	Services .....	26
11.6.	Residential Amenity .....	26
11.7.	Noise.....	27
11.8.	Traffic and Road Safety .....	29
11.9.	Biodiversity .....	31
11.10.	Archaeology and Cultural Heritage.....	33
11.11.	Other Issues .....	34
12.0	Appropriate Assessment – Screening .....	36
12.1.	Compliance with Article 6(3) of the Habitats Directive .....	36
12.2.	Background on the Application .....	36
12.3.	Screening for Appropriate Assessment – Test of Likely Significant Effects . .....	37
12.4.	Brief description of the development.....	37
12.5.	Submissions and Observations .....	38
12.6.	European Sites .....	38
12.7.	Identification of likely effects .....	42
12.8.	Mitigation Measures.....	43
12.9.	Screening Determination .....	43
13.0	Recommendation .....	44
14.0	Reasons and Considerations .....	44
15.0	Conditions .....	46

## **1.0 Introduction**

- 1.1. An application has been made by Highfield Solar Limited ('the applicant') under the provisions of section 182A of the Planning and Development Act 2000, as amended ('the Act'), for 10 year permission for development consisting of: the construction of an electrical substation and associated 110kV and MV ancillary infrastructure required to connect ground mounted solar PV generation to the electricity transmission system; lightning protection masts; perimeter security fencing; access tracks; 110kV masts; underground cabling; temporary construction compound; tree planting; drainage infrastructure; and all associated ancillary site development work on a site located in the townlands of Garballagh and Commons, c. 0.7km to the south west of Duleek, Co. Meath.
- 1.2. The purpose of the proposed development is to facilitate the connection of the permitted Gaskinstown Solar Farm to the national electricity grid.

## **2.0 Project Background**

- 2.1. The applicant made a request to enter into pre-application consultation under section 182E of the Act on 7<sup>th</sup> January 2020 (Ref. ABP-306330-20). Following an assessment and recommendation from the reporting inspector, the Board determined on the 2<sup>nd</sup> June 2020 that the proposed development falls within the scope of section 182A, and accordingly would comprise strategic infrastructure. On foot of that determination, the applicant subsequently submitted this application under the provisions of section 182A of the Act.
- 2.2. Planning permission for the solar farm that would be connected to the national grid by the proposed substation development was granted by Meath County Council in February 2021 (Reg. Ref. LB200487), following withdrawal of a first party appeal (ABP-308667-20).

## **3.0 Site Location and Description**

### **3.1. Overview**

- 3.1.1. The application site, which is irregularly shaped with a stated area of 21.5 hectares, is located in the townlands of Garballagh and Commons, c. 0.7km to the south west of Duleek, Co. Meath. The application site adjoins, and partially overlaps, the development site boundary for the permitted Gaskinstown Solar Farm. The Solar Farm has an area of 81.3ha, with the overall combined site extending to 101.2ha. The application site comprises agricultural tracks and a number of fields bounded by hedgerows and trees. Both the substation site and surrounding lands on which the permitted solar farm development will be located are currently in agricultural use.
- 3.1.2. The existing Drybridge-Baltrasna 110kV overhead line (OHL) runs in a general north-south direction through the eastern part of the application site, c. 500m east of the proposed substation compound. The proposed underground 110kV cabling which would connect the proposed substation to this OHL by means of new angle masts would run along the western and southern boundaries of the application site.
- 3.1.3. The surrounding area generally comprises agricultural lands and is gently undulating with well-defined field boundaries comprising mature hedgerows and drainage ditches. The site is accessed from the R150 Regional Road, with works to improve this existing access point and an access track approved under the solar farm permission. The substation compound would be situated c. 400m south of the R150, which is the closest public road and a similar distance from the nearest dwellings.
- 3.1.4. Two streams/watercourses, the Kellystown stream and the Garballagh stream run to the north and south of the site, respectively. Field boundary drainage ditches within the site generally flow to these watercourses. Both watercourses are tributaries of the River Nanny, the main channel of which is c. 900m east of the application site.

### **3.2. Natural Heritage Designations**

- 3.2.1. The application site is not located within or immediately adjacent to any European Sites. There are 5 No. European Sites designated located within 15km of the proposed development, as identified in the table below:

European Site (Code)	Distance (Direction)
River Boyne and River Blackwater SAC (002299)	4.2km (N)
River Boyne and River Blackwater SPA (004232)	4.3km (N)
Boyne Estuary SPA (004080)	10.9km (NE)
River Nanny Estuary and Shore SPA (004158)	11.77km (NE)
Boyne Coast and Estuary SAC (001957)	12.05km (NE)

3.2.2. With regard to nationally designated sites, there are 4 No. proposed Natural Heritage Areas and no Natural Heritage Areas within 5km of the site. These are Thomastown Bog pNHA (0.91km north west), Duleek Commons pNHA (1.61km north east), Balrath Woods pNHA (2.69km south west) and Rossnaree Riverbank pNHA (4.64km north west).

## 4.0 Proposed Development

4.1. The proposed development consists of:

- Electrical substation and associated 110kV and MV ancillary infrastructure required to connect ground mounted solar PV generation to the electricity transmission system;
- Lightning protection masts;
- Perimeter security fencing;
- Access tracks;
- 110kV masts;
- Underground cabling;
- Temporary construction compound;
- Tree planting;
- Drainage infrastructure; and
- All associated ancillary site development work.

- 4.2. Permission is sought for a period of ten years.
- 4.3. The application was accompanied by a number of supporting documents, including a Planning and Environmental Report, AA Screening Report as well as related drawings and technical appendices.

## **5.0 Request for Further Information**

- 5.1. A request for further information was issued to the applicant on 20<sup>th</sup> December 2021. The issues contained in the request can be summarised as follows:

- Clarify extent of site and the site area of the adjacent permitted solar farm.
- Some submitted documents have been prepared on the basis of a site boundary that is not consistent with the application site boundary. Submit revised technical reports and drawings as necessary to ensure that they address the entirety of the application site.
- Submit a site-specific flood risk assessment for the proposed development.
- Respond to the submissions made by Meath County Council and TII.

- 5.2. The applicant submitted a response on 21<sup>st</sup> February 2022, including revised reports and a flood risk assessment, as requested. The response was not considered to constitute significant further information and the applicant was consequently not asked to publish additional notices.

## **6.0 Planning History**

### **6.1. Application Site**

#### **6.1.1. Reg. Ref. LB200487**

- 6.1.2. Ten year permission granted in February 2021 for development consisting of the construction of a solar PV energy development within a total site area of up to 81.3 ha, to include solar PV panels ground mounted on steel support structures, electrical transformer/inverter station modules, battery storage modules, storage containers, CCTV cameras, access tracks, fencing and associated electrical cabling, ducting

and ancillary infrastructure. A first party appeal was lodged and subsequently withdrawn (ABP-308667-20).

## **6.2. Surrounding Area**

### **6.2.1. ABP Ref. PL17.248146; Reg. Ref. LB/160898**

6.2.2. Ten year permission granted to Highfield Solar Ltd. in March 2019 for a solar farm development. Permission was originally sought to construct a Solar PV Energy development with a total site area of c. 150 hectares, to include two electrical substation buildings and associated compounds, electrical transformer and inverter station modules, storage modules, Solar PV panels ground mounted on support structures, access roads and internal access tracks, spare parts storage container, fencing, electrical cabling and ducting, including undergrounding of existing electrical cabling, CCTV and other ancillary infrastructure, additional landscaping and habitat enhancement as required and associated site development works at Garballagh, Thomastown, Gillinstown and Downestown, Duleek, Co. Meath. Following a third party appeal, the Board issued a split decision, granting permission for the western solar array and associated development in the townlands of Garballagh, Thomastown and Gillinstown (referred to as Site 1) and refusing permission for the eastern solar array and associated development in the townland of Downestown (referred to as Site 2).

### **6.2.3. ABP-303568-19**

6.2.4. Permission granted to Highfield Solar Ltd. in July 2019 for an electrical substation and associated 110kV and MV infrastructure required to connect ground mounted solar PV generation to the electrical transmission system, underground cabling and all associated ancillary site development work on a site at Gillinstown, Duleek, Co. Meath.

6.2.5. Two subsequent requests to alter the terms of the approval under s146B of the Act were approved by the Board (Ref. ABP-309291-21 and ABP-308620-20 refer).



## 7.0 Legislative and Policy Context

### 7.1. National Policy

#### 7.1.1. National Planning Framework

7.1.2. The National Planning Framework (NPF) is the overarching national planning policy document for Ireland. The NPF is a high-level strategic plan that sets out a vision for Ireland to 2040, expressed through ten National Strategic Outcomes (NSOs).

7.1.3. NSO No. 8 is “the transition to a low carbon and climate resilient society”. The NPF acknowledges that Ireland’s energy policy is focused on the pillars of sustainability, security of supply and competitiveness. It is 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”.

7.1.4. National Policy Objective 55 states:

“Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”

#### 7.1.5. Climate Action Plan 2021

7.1.6. The Plan states that electricity accounted for 16.2% of Ireland’s greenhouse gas (GHG) emissions in 2018 and that decarbonising of the electricity sector will continue by taking advantage of our significant renewable energy resources, while also ensuring the security of the electricity supply and decreasing dependence on imported fossil fuels.

7.1.7. To meet the required level of emissions reduction by 2030, a series of targets are set out, including:

- Reduce CO<sub>2</sub>eq. emissions from the sector to a range of 2 to 4 MtCO<sub>2</sub>eq. by 2030.
- Increasing the share of electricity demand generated from renewable sources to up to 80% where achievable and cost effective, without compromising security of electricity supply.

- Expand and reinforce the grid – through the addition of lines, substations, and new technologies.

7.1.8. Energy Policy Framework 2007-2020 – Delivering a Sustainable Energy Future for Ireland (Energy White Paper)

7.1.9. This white paper sets out a strategic energy policy framework to deliver a sustainable energy future for Ireland. One of the key elements is to ensure the delivery of security of supply, which is considered to be essential for all sectors of the economy, for consumers in general and for society as a whole. The key items needed to deliver a secure supply of electricity on a consistent basis are identified as robust networks and electricity generating capacity. To this end, it is an overall objective to strongly support electricity investment programmes in the high voltage transmissions network and the distribution network, in order to facilitate regional development. The white Paper also sets the target of 33% of electricity being produced from renewable generation by 2020.

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

7.1.11. This White paper on Energy policy published by the Department of Communications, Energy and Natural Resources in December 2015 sets out a vision to reduce greenhouse gas (GHG) emissions by between 80% and 95% compared to 1990 levels, by 2050, falling to zero or below by 2100. It states that as new energy solutions such as bioenergy, solar photovoltaic and offshore energy mature and become more cost effective they will be included in the renewable energy mix. The policy document recognises that solar photovoltaic technology is rapidly becoming cost competitive for electricity generation and that the deployment of solar power in Ireland has the potential to increase energy security, contribute to our renewable energy targets and support economic growth and jobs.

7.1.12. Government Policy Statement on Security of Electricity Supply, November 2021

7.1.13. The Policy Statement states that electricity is vital for the proper functioning of society and the economy and notes that in order to contribute to the achievement of greenhouse gas emission targets, the Government has committed that up to 80% of electricity consumption will come from renewable sources by 2030 on a pathway to net zero emissions.

7.1.14. It states that ensuring continued security of electricity supply is considered a priority at national level and within the overarching EU policy framework in which the electricity market operates. The challenges to ensuring security of electricity supply are stated to include:

- ensuring adequate electricity generation capacity, storage, grid infrastructure, interconnection and system services are put in place to meet demand – including at periods of peak demand; and
- developing grid infrastructure and operating the electricity system in a safe and reliable manner;

7.1.15. The Policy Statement states that the Government recognises that:

- ensuring security of electricity supply continues to be a national priority as the electricity system decarbonises towards net zero emissions;
- there is a need for very significant investment in additional flexible conventional electricity generation, electricity grid infrastructure, interconnection and storage in order to ensure security of electricity supply;

7.1.16. It goes on to state that the Government has approved that it is appropriate for additional electricity transmission and distribution grid infrastructure, electricity interconnection and electricity storage to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply.

7.1.17. EirGrid Group Strategy 2020-2025: Transform the Power System for Future Generations

7.1.18. This provides a strategic overview for the development of the electricity transmission system. It confirmed the need for investment in the electricity transmission system. Their goal is stated to be achieving the required increase in renewables while minimising the addition of new infrastructure.

## 7.2. **Regional Policy**

7.2.1. Regional Spatial & Economic Strategy for the Eastern and Midland Regional Assembly

- 7.2.2. I note that the Regional Strategic Outcomes contained in the Strategy include ‘Support the Transition to Low Carbon and Clean Energy’ (RSO 9) and ‘A Strong Economy supported by Enterprise and Innovation’ (RSO 12). I also note Regional Policy Objectives RPO 10.20, 10.22 and 10.23, which support the development and strengthening of the electricity network.

### 7.3. Local Policy

7.3.1. Meath County Development Plan 2021-2027

- 7.3.2. The application site is zoned ‘RU’, Rural Area. Sustainable energy installations and utility structures are permissible uses under this zoning objective.

- 7.3.3. The following Infrastructure Policies and Objectives of the Development Plan are noted:

- **INF POL 34:** To promote sustainable energy sources, locally based renewable energy alternatives, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity, natural and built heritage, residential or local amenities.
- **INF POL 35:** To seek a reduction in greenhouse gases through energy efficiency and the development of renewable energy sources utilising the natural resources of the County in an environmentally acceptable manner consistent with best practice and planning principles.
- **INF OBJ 39:** To support Ireland’s renewable energy commitments outlined in national policy by facilitating the development and exploitation of renewable energy sources such as solar, wind, geothermal, hydro and bio-energy at suitable locations within the County where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities so as to provide for further residential and enterprise development within the county.
- **INF OBJ 45:** To ensure that all plans and projects associated with the generation or supply of energy or telecommunication networks are subject to an Appropriate Assessment Screening and those plans and projects which

could, either individually or in-combination with other plans and projects, have a significant effect on a Natura 2000 site (or sites) undergo a full Appropriate Assessment.

- **INF POL 46:** To support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the County and to facilitate new transmission infrastructure projects that may be brought forward during the lifetime of the plan including the delivery and integration, including linkages of renewable energy proposals to the electricity transmission grid in a sustainable and timely manner..
- **INF POL 48:** To ensure that energy transmission infrastructure follows best practice with regard to siting, design and least environmental impact in the interest of landscape protection.
- **INF OBJ 50:** To seek the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity transmission grid in a sustainable and timely manner.

7.3.4. The following Policies relating to natural heritage are noted:

- **HER POL 35:** To ensure, where appropriate, the protection and conservation of areas, sites, species and ecological/networks of biodiversity value outside designated sites and to require an appropriate level of ecological assessment by suitably qualified professional(s) to accompany development proposals likely to impact on such areas or species.
- **HER POL 37:** To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where practically possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required.
- **HER POL 52:** To protect and enhance the quality, character, and distinctiveness of the landscapes of the County in accordance with national policy and guidelines and the recommendations of the Meath Landscape Character Assessment (2007) in Appendix 5, to ensure that new development meets high standards of siting and design.

- **HER POL 53:** To discourage proposals necessitating the removal of extensive amount of trees, hedgerows and historic walls or other distinctive boundary treatments.
- **HER OBJ 49:** To ensure that the management of development will have regard to the value of the landscape, its character, importance, sensitivity and capacity to absorb change as outlined in Appendix 5 Meath Landscape Character Assessment and its recommendations.
- **HER OBJ 60:** To encourage, pursuant to Article 10 of the Habitats Directive (92/43/EEC), the management of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

7.3.5. With regard to landscape character, the site is located in the 'Central Lowlands' Landscape Character Area. This is identified as a landscape of 'High' value, 'Medium' sensitivity and 'Regional' importance. It is stated to have "Medium potential capacity to accommodate overhead cables, substations and communication masts due to the complexity of the area, which has a variety of land uses and a robust landscape structure".

## 8.0 Submissions and Observations

### 8.1. Local Authority

8.1.1. Meath County Council submitted a report which can be summarised as follows:

- There are various measurements (site area) provided throughout the documentation and the Board is advised to seek clarification as to the full extent of the application area and proposed works.
- Irish Water (IW) has no objection. MCC notes IW requested conditions for associated solar farm application.
- Development broadly meets the requirements of MCC Water Services Section, subject to conditions.

- Conservation Officer recommends conditions regarding use of matt dark green paint for metalwork and that service building design should have regard to the MCC Rural Design Guide.
- Transportation department has no objection subject to conditions, including pre- and post-construction road condition surveys, and implementation of Construction Traffic Management Plan.
- Environment Department has no objection subject to construction phase environmental mitigation conditions.
- Environment Department recommends that further information be sought with regard to flood risk (Site-Specific Flood Risk Assessment) which clearly establishes flood risk on site and that all essential infrastructure is outside Flood Zones A and B. Planning Officer notes that similar issue was raised in respect of associated solar farm, and that condition attached to that permission requires an FRA to be submitted within 2 months. No compliance submission has been made to date. The Planning Officer also notes that the submitted FRA does not assess the enlarged site boundary.
- Inland Fisheries Ireland and Fire Officer had no objection to the associated solar farm development.
- MCC considers that a sub-threshold EIAR encompassing the entire project is not required in this instance.
- AA Screening and Ecological Impact Assessment has site boundary that is inconsistent with the drawings accompanying the application and does not account for the Kellystown watercourse to the north.
- Landscape assessment and related drawings do not match the site boundary submitted to the Board. Revised drawings should be sought.
- Archaeological assessment did not incorporate additional lands included in site boundary. Archaeological monitoring recommended.
- No concern with regard to noise.
- Decommissioning Method Statement should be required by way of condition.
- Proposed development is supported by policy.

- Size, scale and position of proposed development is acceptable, subject to mitigation.
- Overlooking, overshadowing, impact on privacy or depreciation of value of properties in the area will not occur.
- Proposed development is ancillary to the permitted solar farm and should not incur development contributions.
- Proposed development is acceptable in principle and in accordance with the principles of proper planning and sustainable development. However, the Board may wish to obtain clarification of details in relation to Appropriate Assessment, Flood Risk Assessment and Management, details pertaining to the structures proposed, clarification on the submitted drawings and associated technical reports.
- A series of recommended conditions are included.

## 8.2. Prescribed Bodies

8.2.1. A submission was received from Transport Infrastructure Ireland, which can be summarised as follows:

- TII has no record of consultation on the adjacent solar farm application.
- No reference is made to the potential for abnormal weight loads. All structures on the haul route should be checked to confirm their capacity to accommodate abnormal loads. It is acknowledged that abnormal weights may not be a feature of the subject development.
- Applicant should consult with all PPP companies, Motorway Maintenance and Renewal Contractors and local road authorities over which the haul routes traverse to ascertain any operational requirements and to safeguard the strategic function of the national road network.
- Any damage to the national road shall be rectified in accordance with TII standards and shall be agreed with the road authority prior to commencement.



- There are no other national road interactions to address and TII has no specific observations to make.

### 8.3. **Observers**

8.3.1. None.

### 8.4. **Applicant's Response**

8.4.1. The applicant's response to the submissions can be summarised as follows:

- Concerns raised by Meath County Council in relation to discrepancies between the site boundary in the planning drawings and the assessed area within the supporting reports have been addressed in the response to the request for further information.
- The concerns regarding the Flood Risk Assessment have been addressed in the response to the request for further information.
- The applicant welcomes the broad support of Meath County Council for the overall project (i.e. solar farm and substation) and has no further comments to make in relation to their submission.
- The applicant notes TII's instruction regarding the delivery of abnormal loads to site. There will only be one such delivery, the 110kV transformer. A pre-delivery route assessment will be carried out by the haulage company and all requisite permits will be acquired in advance of delivery. The applicant will liaise with all relevant parties in this regard.

## 9.0 **EIA Screening**

9.1. Section 2 of the Planning and Environmental Report submitted with the application relates to EIA screening. It contends that the proposed 110kV substation and associated development does not come under Schedule 5 of the Regulations and does not require an EIA.

9.2. As noted by the applicant, the prescribed classes of development and thresholds that trigger a mandatory EIS are set out in Schedule 5 of the Regulations. The only

classes that I consider to be of potential relevance to the proposed development are as follows:

- **Schedule 5, Part 1, Class 19:** Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres.
- **Schedule 5, Part 2, Class 3(b):** Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more.

9.3. I note that an electrical substation is not a class of development contained in Parts 1 or 2 of Schedule 5 of the Regulations, and I further note that the proposed development does not entail the construction of any overhead power lines, regardless of voltage or length. The proposed connection to the existing Drybridge-Baltrasna 110kV transmission line would be of way of underground 110kV cable, and therefore would not come within either of the classes listed above (the class being overhead powerlines, and the threshold being the voltage/length).

9.4. As no element of the proposed development falls into a class of development contained in Schedule 5, Parts 1 or 2, I am satisfied that the proposed development does not therefore constitute sub-threshold development and neither a mandatory EIA, nor screening for EIA, is required.

## 10.0 Oral Hearing

10.1. The Board directed on the 21<sup>st</sup> March 2022 that an Oral Hearing in respect of the application should not be held.

## 11.0 Planning Assessment

### 11.1. Introduction

11.1.1. As noted in Section 1.0, the purpose of the proposed substation, underground cables and associated development is to connect a permitted solar PV development (Reg. Ref. LB200487) on lands adjoining the proposed substation to the existing

Drybridge-Baltrasna 110kV transmission line. The proposed development will thereby facilitate the export of electricity from the solar farm, when constructed, to the National Grid.

11.1.2. For clarity, the proposed 110kV substation, 110kV cabling and associated infrastructure that is the subject of this s182A SID application will hereafter be referred to as the “SID development”, the wider permitted solar PV development will hereafter be referred to as the “solar farm development” and the entire development in combination (i.e. the SID development and the solar farm) will hereafter be referred to as the “overall development”.

11.1.3. I note that much of the documentation and technical reports submitted with the application relate to the potential impacts of the overall development, rather than solely to the SID development.

11.1.4. I consider that the main issues in respect of the planning assessment are as follows:

- Principle and planning policy.
- Landscape and visual impact.
- Flood risk and surface water management.
- Services.
- Residential amenity.
- Noise.
- Traffic and road safety.
- Biodiversity.
- Archaeology and Cultural Heritage
- Other issues.

## **11.2. Principle and Planning Policy**

11.2.1. As set out above, the proposed development comprises a 110kV substation, underground cabling and associated electrical and other infrastructure, which is required to connect a permitted solar PV development to the national grid. Renewable energy projects are supported ‘in principle’ at national, regional and local

policy levels, with the imperative at all policy levels being the need to reduce greenhouse gas emissions, reduce reliance on fossil fuels and combat climate change.

- 11.2.2. EU Directive 2009/28/EC 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. The more ambitious national objective, as expressed in the NREAP, is for 40% of electricity consumption to be from renewable sources by 2020. The White Paper entitled 'Ireland's Transition to a low carbon Energy Future 2015-2030' sets out a vision to reduce greenhouse gas emissions by between 80% and 95% compared to 1990 levels by 2050 and notes that solar photovoltaic technology is rapidly becoming cost competitive for electricity generation and that the deployment of solar power in Ireland has the potential to increase energy security, contribute to our renewable energy targets and support economic growth and jobs.
- 11.2.3. More recently, the Government Policy Statement on Security of Electricity Supply published in November 2021 states that the Government has committed that up to 80% of electricity consumption will come from renewable sources by 2030 on a pathway to net zero emissions. It goes on to state that ensuring security of electricity supply continues to be a national priority as the electricity system decarbonises towards net zero emissions and that it is appropriate for additional electricity transmission and distribution grid infrastructure to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply.
- 11.2.4. At a local level, the current Meath County Development Plan 2021-2027 contains a number of Policies and Objectives to support reductions in greenhouse gas emissions and to facilitate and encourage renewable energy projects, subject to normal planning criteria. Policies and Objectives INF POL 34, INF POL 35, INF OBJ 39, INF OBJ 45, INF POL 46, INF POL 48, INF OBJ 50, which are listed in Section 7.3 above are of particular relevance in this regard.
- 11.2.5. The application site is located within a large agricultural landholding, upon which permission has been granted for a large solar PV development. The proposed substation would have significant separation distances from the nearest public roads

and residential dwellings and would be adjacent to infrastructure associated with the permitted solar PV development (i.e. photovoltaic panels, inverter/transformer stations etc.). The SID development site is not subject to any particular constraints in terms of archaeological, cultural and architectural heritage, landscape designation or land use zoning objectives.

- 11.2.6. It is clear from the above that there is substantial policy 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 proposed development. I therefore consider the proposed development to be acceptable in principle, subject to consideration of the key planning issues outlined in Section 11.1 above.

### **11.3. Landscape and Visual Impact**

- 11.3.1. The application site is located within Landscape Character Area 6, 'Central Lowlands', in the Development Plan. This LCA is described as having a high landscape value and moderate landscape sensitivity and it is described as follows:
- 11.3.2. "A large lowland area, across a rolling drumlin landscape with large estates and associated parkland. Thick wooded hedgerows separate medium to large fields. Views are generally limited by the complex topography and mature vegetation except at the tops of drumlins where panoramic views are available particularly of the Hill of Tara uplands and Skryne Church."
- 11.3.3. The Landscape Character Assessment notes that this LCA has medium potential capacity to accommodate overhead cables, substations and communication masts "due to the complexity of the area, which has a variety of land uses and a robust landscape structure".
- 11.3.4. Having inspected the application site and surrounding area, I consider its character to be generally typical of the Central Lowlands as defined above. The site sits within a gently undulating landscape, and the surrounding lands, upon which the permitted solar farm would be developed, is comprised of a series of medium to large size fields defined by boundaries of dense hedgerows and trees. Views to and from the application site are generally limited as a result of this topography, vegetation and the site's separation distances from the nearest public roads and residential

dwellings. There are, however, portions of the R150, to the east of the site entrance, where the topography allows for clearer views of the proposed substation site.

- 11.3.5. The applicant submitted a Landscape and Visual Impact Assessment (LVIA) with the application (revised version submitted in response to the request for further information), and the issue is also addressed in Section 7 of the submitted Planning and Environmental Report. I note that the LVIA relates to the overall development (i.e. permitted solar PV development and proposed substation development) and that it includes a number of photomontages from various viewpoints.
- 11.3.6. With regard to landscape impacts, I note that while the permitted solar farm development on the surrounding lands is extensive in scale, the proposed substation compound has dimensions of c. 97m x 136m. Having regard to the relatively robust character of the application site and surrounding lands, upon which the LCA considers there is 'medium' capacity to accommodate substations and overhead cables, the high degree of enclosure provided by the established hedgerows, and the significant separation distances from public roads and residential dwellings, I do not consider that the proposed development will have a significant adverse effect on landscape or rural character. I note that the wider surrounding area, while primarily agricultural, includes a range of other land uses, including urban development at Duleek, quarrying, and the Irish Cement plant and Carranstown Waste-to-Energy plant to the north east of Duleek.
- 11.3.7. With regard to visual impacts, the LVIA assesses the impact of the overall development on 12 viewpoints, which I consider to be relatively representative of the various receptor types and locations within the study area. Photomontages have been provided from a number of these viewpoints, with photographs provided for the remaining viewpoints, where the applicant contends that it would not be possible to see the overall development.
- 11.3.8. The proposed substation compound, which has dimensions of 97m x 136m, is split into two parts: the EirGrid compound (97m x 90m) and a smaller IPP compound (97m x 46m). The IPP compound includes an IPP switchgear building, 33/110kV transformer, battery units and other electrical equipment. The switchgear building is a simple rendered structure with a tiled pitched roof and dimensions of c. 18m x 11m and ridge height of 6m. The EirGrid compound includes 110kV Air Insulated

Switchgear and an associated switchgear building. This building is similar in design and materials to the IPP building, albeit slightly larger, with dimensions of c. 18m x 25m and ridge height of 6m. The compound is surrounded by 2.6m high security fencing and also features 5m high CCTV camera poles and lightning protection masts. The 2 No. proposed Line Cable Interface Masts required to connect into the existing 110kV powerline are typical angle tower masts with a height of 21.5m.

- 11.3.9. I note that it is proposed to replace the extent of hedgerow to be removed to accommodate the substation footprint with a new hedgerow to the south of the substation compound. It is also proposed to strengthen existing hedgerows and infill gaps and to construct a 1m high berm to the north of the substation compound with screening planting and specimen trees.
- 11.3.10. Having inspected the application site and surrounding area and having reviewed the viewpoint photographs and photomontages, I consider that the potential for the proposed development to result in any significant adverse visual impact on sensitive receptors or at protected viewpoints is extremely limited, due to the relatively limited physical scale of the proposed development, the site topography, the extensive network of hedgerows and tree planting and the significant separation distances between the proposed development and the closest public roads and residential dwellings.
- 11.3.11. It is clear from reviewing the LVIA that visual impacts from the majority of viewpoints will primarily be associated with the permitted solar farm. I am satisfied that the proposed substation development will either not be visible from the majority of viewpoints, or only glimpsed views of the substation development will be available, through layers of intervening hedgerows. Clearer views will, however, be possible from portions of the R150 to the north (see photomontage for Viewpoint 5 for example). Within such views elements of the development will be visible, although this will be at a significant distance (400m) with several layers of hedgerows between the receptor and the substation compound. This distance, together with the proposed landscaping vegetation will serve to lessen the visibility of the proposed development, and as the vegetation matures, I consider that the proposed development will be absorbed without significantly impacting on visual amenities.

- 11.3.12. Elements of the substation development, notably the lightning masts and roof structure may be visible from longer range viewpoints, however they will be seen in the context of the adjacent permitted solar farm development and will not result in significant visual impacts.
- 11.3.13. Finally, with regard to protected views from the Brú na Bóinne World Heritage Site (WHS), I am satisfied that the proposed development will not be visible from the WHS due to topography and the screening effect of existing vegetation.
- 11.3.14. In conclusion, I do not consider that the proposed development would result in any significant adverse impact on the landscape or visual amenities of the area.
- 11.3.15. I note that the Local Authority's Conservation Officer recommended conditions regarding use of matt dark green paint for metalwork and that service building design should have regard to the MCC Rural Design Guide. The two buildings within the substation compound are simple rectangular rendered structures with a tiled pitched roof, and as such I consider that their form is consistent with common forms found in rural development and thus appropriate for the site context.

#### **11.4. Flood Risk and Surface Water Management**

- 11.4.1. Section 11 of the submitted Planning and Environmental Report addresses Flood Risk and Drainage, with a Flood Risk and Drainage Impact Assessment (FRDIA) also provided as a Technical Appendix. This was updated on foot of the request for further information and a site-specific Flood Risk Assessment (FRA), prepared by MWP Engineering and Environmental Consultants, was also submitted in response to the request for further information. I note that the FRDIA relates to the overall development, while the FRA relates solely to the substation development.
- 11.4.2. With regard to flood risk, it is considered that the proposed development constitutes 'highly vulnerable development' under the Planning System and Flood Risk Management Guidelines, which is defined as including substations and essential infrastructure.
- 11.4.3. The proposed substation is located between two streams located to the north (Kellystown) and south (Garballagh), which flow from west to east and fluvial flood risk associated with these rivers is assessed in the FRA. The FRA does not consider that other potential sources of flood risk, such as overland flow, groundwater and



estuarial flooding are relevant at this location. Having regard to the nature and characteristics of the site, I would concur with this assessment.

- 11.4.4. The two streams, which are referred to as R1 and R2 in the FRA, are c. 400m apart at the site location. Both have small upstream catchment sizes of 2.78km<sup>2</sup> and 1.36km<sup>2</sup>, respectively, and both are tributaries of the River Nanny. Flow rate analysis and hydraulic modelling was undertaken, informed by topographical surveying. This found that both streams experience localised flooding, due primarily to inadequate pipe sizing at a number of locations where the flow is culverted. The extent of such flooding is relatively minor and it does not extend to, or have a flow path to, the site of the proposed substation compound.
- 11.4.5. The FRA maps Flood Zones A and B in the vicinity of the substation site and it is clear that the site is situated on higher ground than the calculated 0.1% AEP flood levels. Having regard to this, and the lack of a flow path from areas of localised flooding, the site can be considered to be located within Flood Zone C. In accordance with the Planning System and Flood Risk Management Guidelines, all forms of development are considered 'appropriate' in Flood Zone C without a Justification Test.
- 11.4.6. Therefore, having regard to the location of the proposed development outside of any area identified as being subject to flood risk, I do not consider that the proposed development would be subject to a significant flood risk or would exacerbate the risk of flooding on other lands.
- 11.4.7. With regard to surface water management, I note that a permeable hardcore surface is proposed on the access road and substation compound which will facilitate infiltration to ground. It is also proposed to provide 83m<sup>3</sup> of attenuation storage to the east of the substation compound. Having regard to these sustainable drainage proposals, I am satisfied that surface water management proposals are generally acceptable. However, no details of the design of the attenuation storage have been provided and, should the Board be minded to grant permission, I recommend that a condition be included requiring details to be submitted for the agreement of the Planning Authority.

## **11.5. Services**

- 11.5.1. The application form states that water supply will be provided by a new private well. No further details of the proposed well are provided, however given the nature of the development and the sporadic occupation of the buildings, the level of water use is likely to be relatively minor.
- 11.5.2. With regard to foul wastewater, it is proposed to provide a holding tank for the temporary storage of foul water adjacent to the substation compound. It is stated that the tank will be maintained at regular intervals by a licenced waste management company. Having regard to the sporadic and irregular occupation of the IPP and Eirgrid control buildings, I consider the proposed foul waste management proposal to be acceptable and preferable to a conventional wastewater treatment system, given the particular characteristics of the proposed development. No details of the proposed holding tank were provided in the application.
- 11.5.3. Notwithstanding the general acceptability of the service proposals, given the lack of specific detail, I recommend that a condition be included, should the Board be minded to grant permission, requiring details to be submitted for the agreement of the Planning Authority.

## **11.6. Residential Amenity**

- 11.6.1. The application site is located within a large agricultural landholding, and the proposed substation compound would have separation distances of c. 400m to the nearest public road and the nearest residential dwellings. I note that no third party observations were made in respect of this application.
- 11.6.2. With regard to potential construction phase impacts on residential amenity, particularly as a result of noise, dust or construction traffic, I note that the applicant has submitted both an Outline Construction Environmental Management Plan and a Construction Traffic Management Plan and has stated that construction of the overall development will take c. 6 months. Construction traffic access for the proposed development will be via an existing agricultural entrance off the R150 Regional Road, and while I have addressed the issue of construction traffic separately below, I note that HGV traffic will be able to access the site without passing through the village of Duleek.

- 11.6.3. I have addressed the issue of noise separately below, however having regard to the separation distances and the limited duration of the construction period, I do not consider that any significant impacts on residential amenity are likely to occur during the construction phase. Notwithstanding this, given the inter-relationship between the proposed development and the permitted solar farm development, I recommend, should the Board be minded to grant permission, that a condition be attached requiring the submission of a Construction Environmental Management Plan for the agreement of the Planning Authority.
- 11.6.4. Similarly, with regard to the operational phase, noting the separation distances involved, the nature and limited scale of the proposed substation development and the lack of any significant visual impact, I do not consider that the proposed development is likely to result in any significant adverse impacts on residential amenity during its operational phase.

#### 11.7. Noise

- 11.7.1. The issue of operational noise is addressed in Section 10 of the submitted Planning and Environmental Report, with a Noise Impact Assessment (NIA) included in Technical Appendix 6. I note that the assessment relates to the overall development.
- 11.7.2. 31 No. Noise Sensitive Receptors (NSRs) were identified within the 500m study area for the noise assessment, all of which comprise residential dwellings (see Figure 6.3 of NIA). The closest NSRs to the proposed substation compound are a cluster of dwellings along the R150 Regional Road, c. 400m to the north (NSRs 16 – 20).
- 11.7.3. No baseline noise monitoring was undertaken, with the effects of the proposed development instead compared with a typical rural night-time setting of 35dB, as a 'worst case' scenario.
- 11.7.4. Noise modelling was undertaken utilising SoundPlan modelling software, with an assessment undertaken in accordance with BS 4142: 2014+A1:2019. The results showed that a low impact during night-time periods is anticipated at all NSRs, other than NSR 9. A cumulative assessment with the nearby permitted Garballagh Solar Farm was also undertaken, and again NSR 9 was the only NSR to experience a high noise impact. The applicant states that NSR 9 is a dwelling that commenced construction in circa 2005/2006, was never fully constructed and currently remains

vacant and uninhabitable. Therefore, the applicant considers that no mitigation measures are necessary to reduce noise impacts at that receptor. I note that NSR 9, while close to the permitted solar farm, is located at a greater remove from the proposed substation than NSRs 16 – 20 mentioned above and consequently I do not consider that any significant operational noise impact on that NSR is likely as a result of the proposed development.

- 11.7.5. Given the separation distance to the nearest NSRs, I am satisfied that operational noise arising from the proposed development is not likely to be significant and that no specific mitigation measures are required. However, given that the final selection of specific items of plant and machinery is likely to be subject to procurement, I recommend that a condition limiting operational noise be included, should the Board be minded to grant permission.
- 11.7.6. With regard to construction stage noise, this is not addressed in the NIA. The Outline Construction Environmental Management Plan (OCEMP) contained in Technical Appendix 8 states that operating plant noise will be kept within the standards and time periods dictated for the site and that any noncomplying plant will be stopped and stood down until it can be rectified or removed from the site. The OCEMP notes that British Standard BS5228 provides guidance on the steps that can be taken to minimise potential noise and vibration effects on construction sites, with proposed mitigation measures including: vehicles and machinery switched off when not in use; fitting and proper maintenance of silencers and/or enclosures; avoiding excessive and unnecessary revving of engines and parking of equipment in locations which avoid possible effects on residential properties; traffic movement limited to 08.00 to 18.00 Monday to Friday and 08.00 to 16.00 Saturdays; attempts shall be made not to drop material from a height when loading and unloading material; any noise complaints directed to the site agent, with the initial response to immediately cease the activity until suitable mitigation measures have been put in place and agreed with the affected individual.
- 11.7.7. Construction of the cable route and angle towers will take place on greenfield lands at a significant remove from any NSRs and consequently are not likely to result in significant noise emissions or creation of a noise nuisance.

11.7.8. The measures proposed to control construction phase noise are generally standard good practice measures for construction sites, and given the low density of residential dwellings in the area, the limited duration of works and the separation distances involved, I am satisfied that no significant construction phase noise impacts are likely to arise. I conclude that matters relating to the management, mitigation and control of construction related noise associated with the proposed development can be satisfactorily dealt with by way of condition requiring a Construction Environmental Management Plan to be submitted for the agreement of the Planning Authority.

#### **11.8. Traffic and Road Safety**

- 11.8.1. Traffic is addressed in Section 4.7 of the submitted Planning and Environmental Report and a Construction Traffic Management Plan (CTMP) was submitted as Technical Appendix 5. This addresses the overall construction programme and construction traffic generation. Construction of the overall development is estimated to take 6 months, with a total of 1,683 HGV deliveries to site and peak construction traffic of 20 HGVs per day. Approximately 25 staff will be on site at any one time during construction, with an estimated 10-15 vehicles per day at peak periods, due to vehicle sharing, which will be encouraged.
- 11.8.2. Having regard to the scale of the proposed substation development relative to the scale of the permitted solar farm development, it is not considered that an excessive volume of construction traffic will be generated.
- 11.8.3. Construction traffic will generally travel along the M2, exiting north of Ashbourne and travelling along the N2 for c. 13km, after which it will exit the N2 and travel in an easterly direction along the R150 for c. 3.5km before turning right into the site entrance. I note that this haul route avoids the nearby village of Duleek which is located to the north east of the site.
- 11.8.4. The R150 is currently in good condition on the approaches to the site and is of adequate width to accommodate two-way construction HGV traffic. It is also relatively straight and level with good forward visibility of turning traffic.
- 11.8.5. With regard to the site entrance, I noted on my site inspection that the sight lines at the existing site entrance are currently inadequate. Works to improve the site

entrance and ensure adequate sight lines were permitted as part of the related solar farm development (Reg. Ref. LB200487). I am satisfied that these permitted works will allow for adequate and safe access and egress for the purposes of constructing and operating the proposed development, noting that it will primarily be unmanned during the operational phase.

- 11.8.6. In the interests of clarity and road safety I do, however, recommend that a condition be included to ensure that construction does not commence until the site entrance improvement works permitted under Reg. Ref. LB200487 have been completed.
- 11.8.7. The Transportation Department of the Planning Authority has no objection to the proposed development, subject to: the access point works being completed prior to commencement; a pre and post-construction road condition survey of the R150 for 100m in each direction of the site access point with costs of any repairs to be paid by the applicant; and implementation of the measures contained in the CTMP. These recommended conditions are all considered reasonable in the interests of road safety, and I note that the applicant, in their CTMP, have undertaken to conduct such a condition survey of the R150 and to repair any damage. Other mitigation measures included in the CTMP include wheelwashing, warning signage on the R150, avoidance of deliveries during the morning and evening peak hours, dust suppression proposals and a delivery booking system to enforce use of the designated haul route.
- 11.8.8. TII made a submission on the application, in which they queried the potential for abnormal weight loads and advised that all structures on the haul route should be checked to confirm their capacity to accommodate abnormal loads. They also advised that the applicant should consult with all relevant parties to ascertain any operational requirements for the haul route and to safeguard the strategic function of the national road network. They also seek that any damage to the national road be rectified in accordance with TII standards.
- 11.8.9. In response, the applicant stated that there will only be one abnormal load delivery to site, which is the 110kV transformer. They stated that a pre-delivery route assessment will be carried out by the haulage company and that all requisite permits will be acquired in advance, including liaison with relevant parties.

- 11.8.10. As the applicant notes, there are permitting procedures in place for abnormal load deliveries and given that only one such delivery will be required, I do not consider that any particular road safety concerns are likely to arise.
- 11.8.11. With regard to operational phase traffic, this is estimated in the CTMP to be 5 – 10 LGVs per year, which will be negligible given the capacity of the R150 and the permitted improvements to the site access.

## **11.9. Biodiversity**

- 11.9.1. The issue of biodiversity is addressed in Section 6 of the submitted Planning and Environmental Report, while an Ecological Impact Assessment and a Biodiversity Management Plan (BMP) were included as Appendices of said report, and subsequently updated on foot of the request for further information. An Appropriate Assessment Screening Report was also submitted and I have addressed the issue of Appropriate Assessment separately in Section 12 below. The abovementioned documents again relate to the overall development (i.e. proposed substation development and permitted solar farm development).
- 11.9.2. A desktop study and habitat survey was undertaken on the overall development site. I note that a species scoping survey was undertaken, but no detailed bird, badger or otter or other surveys were undertaken.
- 11.9.3. The proposed substation site currently comprises a mix of Arable Crops (BC1) and Improved Grassland (GA1), as does the majority of the overall permitted solar farm site. These habitats are considered to be of low ecological value with some foraging potential for birds and badgers. Other habitats within the substation site include Hedgerows (WL1) and Treelines (WL2), which provide bird and bat nesting/roosting opportunities and shelter for mammals, as well as Drainage Ditches (FW4) which are considered to be too narrow and overgrown to support otters. These drainage ditches drain into the Kellystown and Garballagh watercourses which flow into the River Nanny.
- 11.9.4. The desktop study identified records of a wide variety of bird, mammal and invertebrate species in the area. Two badger setts were identified during the walkover survey within the solar farm site, at a considerable remove from the substation site.

- 11.9.5. The potential impacts on biodiversity are primarily related to habitat loss and fragmentation, disturbance during construction and contamination of surface waters.
- 11.9.6. The proposed substation development will result in the loss of a relatively small area of habitat comprising mostly Improved Grassland and Arable Crops. This is a common habitat type and is of limited ecological value. The majority of hedgerows and treelines bounding the substation site, which provide foraging and breeding habitats for various species will be retained and a screening row of specimen tree planting is proposed to the north of the substation compound on a raised berm.
- 11.9.7. There will however be a loss of a portion of hedgerow, due to the substation compound footprint traversing a field boundary. I note that it is proposed to plant replacement hedgerow along the southern boundary of the compound and to infill gaps in existing field boundary hedgerows, which I consider to be appropriate.
- 11.9.8. The applicant has submitted a Biodiversity Management Plan. This relates to the overall development, and I note that Condition 18 of the grant of permission for the associated solar farm development (Reg. Ref. LB200487) requires the ecological avoidance measures be implemented in full.
- 11.9.9. The EclA and BMP contain various measures to protect water quality in the streams and watercourses in the vicinity of the site, as well as measures to mitigate impacts on mammals, hedgerows, bats and breeding birds. These measures include integral design measures such as buffer zones from ditches and watercourses and provision of mammal gates in security gates, standard best practice measures such as covering of excavations and water pollution control measures, and specific mitigation measures including pre-commencement badger, otter and breeding bird surveys (on hedgerow to be removed, if work commences between March and August).
- 11.9.10. I do not consider the proposed substation site and grid connection cable route to be particularly sensitive from a biodiversity perspective and consider that potential impacts can be effectively mitigated through the implementation of the measures set out in the EclA and BMP, the majority of which comprise relatively standard good practice construction methods and approaches.
- 11.9.11. The BMP also includes measures to enhance the biodiversity of the overall site, such as wild flower meadow, hedgerow enhancement/replacement, hibernaculum, bird, bat and insect boxes, creation of species rich grassland etc. As noted above, the



BMP relates to the overall development and was previously submitted as part of the solar farm application. I note therefore, that the majority of the biodiversity enhancement measures are located within the solar farm site.

- 11.9.12. Subject to compliance with the identified mitigation measures, I am satisfied that the proposed development will not have a significant effect on the biodiversity of the area. As noted above, the issue of Appropriate Assessment is addressed separately in Section 12 below.

#### **11.10. Archaeology and Cultural Heritage**

- 11.10.1. Archaeology and Cultural heritage is addressed in Section 9 of the submitted Planning and Environmental Report and the revised Archaeology & Architectural Heritage Impact Assessment (AAHIA) submitted in response to the request for further information. I note that the AAHIA relates to the overall development (i.e. permitted solar farm and proposed substation).
- 11.10.2. There are no recorded archaeological, architectural or cultural heritage features within or in close proximity to the overall development site. Within the wider study area considered in the AAHIA, the following features were recorded: 8 No. National Monuments in State Care (NMSCs) and Historic Gardens and Designated Landscapes (HGDLs) within 5km; 22 No. historic buildings within the Record of Protected Structures (RPS) and National Inventory of Architectural Heritage (NIAH) within 2km; 75 No. archaeological sites within the Record of Monuments and Places (RMP) within 2km. No Architectural Conservation Areas (ACAs) were identified. The Brú na Bóinne World Heritage Site designated area is also c. 4.4km to the north.
- 11.10.3. The proposed substation development and the associated underground 110kV cable will not directly impact on any known feature of archaeological or cultural heritage. With regard to indirect impacts, the ZTV analysis undertaken by the applicant indicates that there will be no intervisibility with the Brú na Bóinne World Heritage Site, while the potential indirect impact on other recorded sites is considered to be low to negligible. Having regard to the scale of the proposed development, the separation distances involved and the nature of the receiving environment, I agree with this assessment.

- 11.10.4. The walkover survey identified the possible remains of a raised track at the eastern extents of the proposed cable route. This may be associated with an avenue and townland boundary depicted on historic mapping. The applicant considers that a low direct impact on this feature is anticipated in the worst case, although it is expected that the cable will avoid this feature.
- 11.10.5. While I do not consider that the proposed development is likely to have a significant impact on the integrity, setting or character of any known sites of archaeological, architectural or cultural heritage, there remains the potential for impacts on unknown archaeological remains during the construction phase, notwithstanding the relatively low archaeological potential of the site. Consequently, I consider it appropriate that a condition be included requiring archaeological monitoring during excavation works, should the Board be minded to grant permission.

#### 11.11. **Other Issues**

##### 11.11.1. Duration of Permission and Decommissioning

- 11.11.2. I note that the applicant is seeking a 10-year permission. This duration would be consistent with the duration of the permission granted for the associated solar PV development, and I consider it to be appropriate in the circumstances, should the Board be minded to grant permission.
- 11.11.3. With regard to the lifespan of the proposed development, I note that the permitted solar farm development has a permitted operational lifetime of 35 years, after which the site is to be reinstated, unless planning permission has been granted for a further period. The developer is also required to lodge a deposit/bond with the Planning Authority to ensure the satisfactory reinstatement of the site (Conditions 6 and 19 of Reg. Ref. LB200487 refer).
- 11.11.4. Meath County Council has recommended the inclusion of similar conditions in this instance. However, while the proposed development is intended to serve the permitted solar farm development, it will comprise a transmission asset and it is stated in the Planning and Engineering Report that it will be owned by Eirgrid. Consequently, I do not consider it necessary to limit the lifetime of the proposed substation development to the lifetime of the solar farm development and likewise I

do not consider it necessary to attach a decommissioning and reinstatement condition to any grant of permission.

11.11.5. Development Contributions and Bonds

11.11.6. Meath County Council state in Section 7.7 of their submission that “in the event of permission for approval being granted by ABP, development contributions are applicable”. However, their report goes on to state that “the proposed development is considered ancillary to the permitted solar farm and...it is considered that this development should not incur contributions as they will be required under the permission for the solar farm”.

11.11.7. Section 7.1 of the Meath County Development Contribution Scheme 2016-2022 sets out exemptions and reductions for certain types of development. I do not consider that the proposed development would fall under any of the exemptions listed. Accordingly, and notwithstanding the ancillary nature of the substation relative to the permitted solar farm, I recommend that a suitably worded condition be attached requiring the payment of a section 48 Development Contribution in accordance with the Acts.

11.11.8. With regard to community gain and special contributions, Meath County Council has not requested any such conditions, noting the ancillary nature of the proposed development. Given the nature of the proposed development in this instance, and its ancillary function supporting a renewable energy project, I do not consider that additional community gain conditions would be warranted.

11.11.9. Meath County Council has requested the inclusion of a condition requiring payment of a bond/deposit to ensure the satisfactory reinstatement of the site. Having regard to the nature of the proposed development and the interrelationship with the permitted solar farm development, I consider the imposition of such a bond requirement to be appropriate in this instance.

## **12.0 Appropriate Assessment – Screening**

### **12.1. Compliance with Article 6(3) of the Habitats Directive**

- 12.1.1. The requirements of 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.

### **12.2. Background on the Application**

- 12.2.1. The applicant submitted an Appropriate Assessment Screening Report, prepared by Neo Environmental as part of the planning application. An updated AA Screening Report (dated 10/02/22) was submitted as part of the response to the request for further information.
- 12.2.2. I note that the AA Screening Report relates to the “overall” development (i.e. permitted solar farm and proposed substation development).
- 12.2.3. The applicant’s AA Screening Report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development.
- 12.2.4. The applicants AA Screening Report concludes that, of the 5 No. Natura 2000 designated sites within the identified 15km zone of influence, connectivity only exists between the site and the River Nanny and Shore SPA. It goes on to conclude that:
- “No significant impacts are predicted for the River Nanny and Shore SPA. It has been concluded that as there is no connectivity with the other Natura 2000 designated sites they will not be impacted. The Proposed Development will not affect the integrity of any Natura 2000 designated site. It is therefore considered that the next stage (Stage 2; Natura Impact Assessment) of the Appropriate Assessments is not required.”
- 12.2.5. Having reviewed the documentation submitted with the application, and the submissions made, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

### **12.3. Screening for Appropriate Assessment – Test of Likely Significant Effects**

- 12.3.1. The proposed 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.
- 12.3.2. The proposed development is examined in relation to any possible interaction with European sites, i.e. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

### **12.4. Brief description of the development**

- 12.4.1. The applicant provides a brief description of the overall development on page 6 of the AA Screening Report, with a more detailed description of the proposed substation development contained in Section 4 of the Planning and Environmental Report. In summary, the development comprises a substation development with underground cable connection to a nearby overhead powerline. As noted above, the AA Screening Report relates to both the proposed substation development and the permitted solar farm development which will be served by the substation.
- 12.4.2. The overall development site is described in pages 6 to 7 of the AA Screening Report. It is described as comprising comprising 25 fields, currently used for both arable and pastoral farming. The fields are bound by a mixture of trees, hedgerows and post-and-wire fencing. Two watercourses run through the site in an approximate west to east direction. These are Kellystown watercourse which runs through the north of the site and the Garballagh watercourse which runs through the south of the site. Both watercourses flow into the River Nanny. Access to the site will be provided from the existing entrance off the R150 road which runs adjacent to the northern boundary of the overall development site.
- 12.4.3. Walkover habitat surveys found that the fields were a mix of improved grassland and arable, most of which contained treelines, hedgerow and/or drainage ditches boundaries. A small stand of woodland consisting of rowan (*Sorbus aucuparia*) and silver birch (*Betula pendula*) exists within a fenced off area of Field 6, while woodland consisting of mature trees with an isolated clump of scots pine (*Pinus*

sylvestris) was present on the south border of Field 19. Neither of these fields are within the substation application site.

12.4.4. Taking account of the characteristics of the proposed 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).

## **12.5. Submissions and Observations**

12.5.1. The submission received from Meath County Council raised the issue of flood risk and noted the inconsistent site boundary in the AA Screening Report. These matters were subsequently addressed in the further information response.

12.5.2. I note that the Planning Officer's report for the solar farm application stated that:

"The Planning Authority concludes that the proposed development (entire project) by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance."

12.5.3. There were no third party observations and TII, the only other prescribed body to make a submission, did not raise any issues relevant to Appropriate Assessment.

## **12.6. European Sites**

12.6.1. The development site is not located in or immediately adjacent to a European site. The applicant's AA Screening Report considers European Sites within 15km of the proposed development. Having regard to the nature of the proposed development, the nature of the receiving environment and the source-pathway-receptor model, I consider this to be a reasonable zone of influence. There are 5 No. European Sites within the zone and Table 12.1 below lists the qualifying interests of these sites, their conservation objectives and identifies possible connections between the proposed development (source) and the sites (receptors).

Table 12.1: Table of European Sites Within a Possible Zone of Influence of the Proposed Development					
European Site (Code)	Distance (Direction)	Qualifying Interest(s)	Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered further in screening
<b>River Boyne and River Blackwater SAC (002299)</b>	4.2km (N)	<p>Alkaline fens [7230]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	<p><b>No</b></p> <p>No hydrological connection.</p>	<p><b>No</b></p> <p>Due to lack of pathway and distance.</p>
<b>River Boyne and River Blackwater SPA (004232)</b>	4.3km (N)	Kingfisher ( <i>Alcedo atthis</i> ) [A229]	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	<p><b>No</b></p> <p>No hydrological connection.</p>	<p><b>No</b></p> <p>Due to lack of pathway and distance.</p>
<b>Boyne Estuary SPA (004080)</b>	10.9km (NE)	<p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p>	To maintain the favourable conservation condition of the bird species listed as Special	<p><b>No</b></p> <p>No hydrological connection.</p>	<p><b>No</b></p> <p>Due to lack of pathway and distance.</p>

		<p>Golden plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Black-tailed godwit (<i>Limosa limosa</i>) [A156]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Little tern (<i>Sterna albifrons</i>) [A195]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Conservation Interests for this SPA.</p> <p>To maintain the favourable conservation condition of the wetland habitat as a resource for the regularly occurring migratory waterbirds that utilise it.</p>		
<b>River Nanny Estuary and Shore SPA (004158)</b>	11.77km (NE)	<p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p>	<p>To maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p> <p>To maintain the favourable conservation condition of the wetland habitat as a resource</p>	<b>Yes</b>  Hydrological connection to SPA via watercourses connecting to the River Nanny.	<b>Yes</b>  Hydrological connection to SPA could give rise to changes in water quality during construction and/or operational phases with consequent effects on qualifying



		<p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Herring gull (<i>Larus argentatus</i>) [A184]</p> <p>Wetland and Waterbirds [A999]</p>	for the regularly occurring migratory waterbirds that utilise it.		species through sedimentation, contamination or disturbance.
<b>Boyne Coast and Estuary SAC (001957)</b>	12.05km (NE)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>	To maintain or restore the favourable conservation condition of the Annex I habitats for which the SAC has been selected, as defined by a list of specified attributes and targets.	<b>No</b>  No hydrological connection.	<b>No</b>  Due to lack of pathway and distance.

## **12.7. Identification of likely effects**

- 12.7.1. As noted above, the River Nanny Estuary and Shore SPA is the only designated site within the Zone of Influence of the proposed development with a potential pathway via which effects could occur. The nature of this pathway is hydrological, due to the two watercourses in the vicinity of the site being tributaries of the River Nanny. I note that the separation distance between the site and the SPA is c. 11.77km. The AA Screening Report considers the potential for ornithological connectivity between the two sites but concludes that core foraging area for the relevant bird species is c. 2km from their roosting sites and that the habitat in the vicinity of the site would be sub-optimal for these species.
- 12.7.2. Having regard to the nature of the proposed development that is before the Board (i.e. the substation development), the nature of the Qualifying Interests and the separation distance from the designated site, I consider that the potential for impacts on the designated site is limited to the construction phase and is primarily related to water pollution or contamination with silt, oils, hydrocarbons, chemicals, cement etc.
- 12.7.3. It is proposed to adhere to standard best practice pollution prevention measures during the construction phase. The measures include proper storage of oils, hydrocarbons etc., servicing of all machinery, waste management procedures and appointment of an environmental officer to ensure implementation of the measures. The AA Screening Report states that these measures are not mitigation measures in the context of Appropriate Assessment, as they are not required to reduce/avoid impacts on the Qualifying Interests of the relevant designated sites. Having reviewed the measures outlined, I consider that they comprise standard good practice construction management methodologies and measures, of a type and scale that would be implemented on any development of a similar nature. During the operational phase it is proposed to implement sustainable drainage system for the management of surface water, however this is not required for the purposes of mitigating effects on the qualifying interests of the designated site.
- 12.7.4. The proposed development that is before the Board is limited in nature and scale. The streams connecting the site to the River Nanny are relatively shallow, slow-moving and thus would appear to have limited carrying capacity for suspended solids. The site is also a distance of c. 11.77km upstream of the SPA boundary,

which would be likely to result in a significant dilution effect and opportunity for materials to drop out of suspension. Having regard to these considerations, and noting the nature of the qualifying interests (certain waterbirds with a limited foraging range and wetlands) and associated conservation objectives, I do not consider it likely that any suspended solids or pollutants that enter the watercourse in the vicinity of the application site as a result of the proposed development are likely to reach the SPA in sufficient quantity or concentration so as to be likely to result in a significant effect on the SPA in light of its Conservation Objectives.

12.7.5. With regard to the potential for in-combination effects, as noted above, the AA Screening Report considers the overall development. The Planning Authority undertook AA Screening of the associated solar farm development and, in granting permission for that substantially larger development, did not consider that an Appropriate Assessment was required.

12.7.6. The AA Screening Report also considers other development in the area, which is generally of a relatively minor nature, although two other solar farms have been permitted at Garballagh and at Knockharley. The Knockharley solar farm, unlike the subject development, has connectivity with the River Boyne and River Blackwater SPA and SAC, and therefore no potential in-combination effects arise. With regard to the Garballagh solar farm, given the limited scale and extent of the proposed development and the separation distance from the designated site, I do not consider that any significant in-combination effects are likely to arise.

## **12.8. Mitigation Measures**

12.8.1. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

## **12.9. Screening Determination**

12.9.1. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Nanny Estuary and Shore SPA (Site

Code 004158), or any other European site, in view of the sites' Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

- 12.9.2. This determination is based on the nature and scale of the proposed development, the nature of the Conservation Objectives, Qualifying Interests and the separation distances between the proposed development and the European site.

## **13.0 Recommendation**

- 13.1. I recommend that the proposed development be approved, subject to conditions, for the reasons and considerations set out below.

## **14.0 Reasons and Considerations**

In coming to its decision, the Board had regard to:

- (a) the nature, scale and extent of the proposed development,
- (b) the characteristics of the site and of the general vicinity,
- (c) national, regional and local policy support for developing renewable energy, in particular:
  - National Planning Framework, 2018,
  - Climate Action Plan, 2021,
  - Government Policy Statement on the Security of Electricity Supply, 2021,
  - Regional Spatial and Economic Strategy for the Eastern and Midlands Region,
  - Meath County Development Plan, 2021-2027,
- (d) the location of the proposed development within an area identified in the Development Plan as a 'moderate' sensitivity area with 'medium' capacity to absorb overhead cables and substations,
- (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 permitted solar PV development (Reg. Ref. LB200487). This development will serve as the grid connection for that generating asset infrastructure,
- (g) the submissions on file including those from prescribed bodies and the Planning Authority,
- (h) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely effects of the proposed development on European Sites,
- (i) the report of the Inspector.

### **Appropriate Assessment – Stage 1 Screening**

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on River Nanny Estuary and Shore Special Protection Area (Site Code 004158) or any other European site, in view of the site's Conservation Objectives.

This screening determination is based on the assessment of the nature and scale of the proposed development, the nature of the European Sites identified, the Qualifying Interests/Special Conservation Interests and the substantial separation distance between the European Sites and the proposed development.

### **Proper Planning and Sustainable Development**

It is considered that, subject to compliance with the conditions set out below, the proposed development would accord with European, national, regional and local

planning and related policy, it would not have an unacceptable impact on the landscape or biodiversity, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 15.0 Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 21<sup>st</sup> day of February 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.

**Reason:** In the interest of clarity.

3. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Planning and Environmental Report, Ecological Impact Assessment, Biodiversity Management Plan 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.

**Reason:** In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

4. No works permitted by this grant of permission shall commence until such time as the works to upgrade the site entrance and improve sightlines at the existing access onto the R150 Regional Road, permitted under planning permission Reg. Ref. LB200487, have been implemented.

**Reason:** In the interest of traffic safety.

5. The developer shall comply with the following requirements:

- (a) No tree felling or vegetation removal shall take place during the period 1<sup>st</sup> March to 31<sup>st</sup> August.
- (b) A pre and post-construction road condition survey of the R150 Regional Road shall be undertaken in each direction of the site entrance for a distance of 100m and submitted to the planning authority. The developer shall be responsible for the repair of damage to the public road resulting from the proposed development to the satisfaction of the planning authority.
- (c) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
- (d) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjacent residential properties or public roads. The location of CCTV cameras within the compound shall be agreed with the Planning Authority prior to commencement of work on site.
- (e) Cables within the site shall be located underground.
- (f) All exposed metal work, fencing and the substation buildings shall be painted matt dark green colour.

**Reason:** In the interests of clarity, traffic safety, nature conservation and visual and residential amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and the proposed foul wastewater holding tank, shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development.

**Reason:** In the interest of environmental protection and public health.

7. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Outline CEMP and Construction Traffic Management Plan submitted with the application. The CEMP shall incorporate the following:

- (a) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;
- (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
- (c) traffic management and road safety procedures and measures for the duration of construction works,
- (d) an emergency response plan; and
- (e) proposals in relation to public information and communication.

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

**Reason:** In the interest of environmental protection and orderly development.

8. All planting/landscaping required to comply with the specification of the landscaping scheme submitted to An Bord Pleanála shall be maintained, and if any tree or plant dies or is otherwise lost within a period of five years, it shall be replaced by a plant of the same species, variety and size within the planting season following such loss.

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

9. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and



- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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

10. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1600 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

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

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

12. 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:

- (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.]
- (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.

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.

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.

**Reason:** To protect the amenities of property in the vicinity of the site.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the planning authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

14. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development.

**Reason:** To ensure the satisfactory completion of the development.

---

Niall Haverty  
Senior Planning Inspector

30<sup>th</sup> March 2022