



An
Bord
Pleanála

Inspector's Report ABP-315456-23

Development	220KV substation and 200KV underground connection, cabling and associated works.
Location	Monvallet, County Louth
Planning Authority	Louth County Council.
Applicant	Strategic Power Projects Limited.
Type of Application	Electricity Application Section 182A.
Date of Site Inspection	21 st June 2023.
Inspector	Philip Davis.

Contents

1.0 Introduction	3
2.0 Site Location and Description.....	3
3.0 Proposed Development	4
4.0 Planning History.....	4
5.0 Policy Context And Submissions	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations.....	5
6.0 Assessment.....	8
7.0 Recommendation.....	17
8.0 Reasons and Considerations	17
9.0 Conditions	18

1.0 Introduction

This application is under Section 182A of the Planning and Development Act as amended for a 220KV substation located next to a large existing substation in north central County Louth. The substation is required to facilitate a permitted solar power station on the overall landholding. A pre-app for the proposed development (**ABP-314006-22**) determined that the application fell within the scope of S.182A of the Act, as amended, and so a direct application to ABP was required.

The application was submitted with an NIS, and Environmental Report, a Decommissioning Plan, and Engineering Planning Report and a preliminary CEMP.

2.0 Site Location and Description

2.1. Toomes and Monvallet

The townlands of Toomes and Monvallet are located in north County Louth, just south of the border with Monaghan and around 12km west of Dundalk and around 3.5 km north-west of the nearest settlement, the historic village of Louth. The area is characterised by a rolling topography of mostly good quality grazing land with some tillage in large fields bounded by hedges. The R178 Regional Road runs north of the townlands, connecting Dundalk to Carrickmacross. Otherwise, the area is served by a network of third class roads. The townlands are dominated by a large ESB substation complex (the Louth ESB 275KV substation) just south of the R178, with large 440KV lines connecting at this point from the north and south. There is a shop and some dwellings at Ballakelly crossroads just to the north of the ESB substation. The area is drained by the Fane River, which flows approximately 2km to the east, draining into the Irish Sea just south of Dundalk – a tributary of this river, the Ballykelly River, runs to the Fane north of the R178.

2.2. Site of Proposed development

The proposed development is on a rectangular site directly west and across a minor third class road from the existing Monvallet ESB station. It is currently a grazing field with a slightly undulating topography. It is open on three sides with a high

hedge bounding it and the public road to the east. The site area is given as 1.8 hectares.

3.0 Proposed Development

The proposed development is described as a 220kV electrical substation consisting of (in summary):

- Access road with substation buildings, compounds, parking, electrical plant and equipment, overhead and underground cabling;
- 1 no. IPP building (with satellite dish);
- 1 no. EirGrid control building;
- 1 no. interface kiosk;
- Fencing, gates, 3 no. lightning masts and 7 no. lamb standards.
- It also includes underground cabling (220kV) and ducting extending to the existing 275kV ESB substation under the road.

4.0 Planning History

A pre-App for this site confirmed that the site was strategic infrastructure in accordance with S.182A of the 2000 Act, as amended (**ABP-314006-22**). The Board determined that it fell within the scope of section 182A of the 2000 Act as amended, on the 28th October, 2022.

A recent pre-app (**ABP-315927-23**) was submitted for two 110kV stations close to the site.

The site and surrounding lands (42 hectares in total) have a live planning permission granted for a solar PV farm of 133MW capacity with battery storage and 2 no. on-site substations (**PR:21/631**).

In the general area, permission was granted for a 33 hectare solar farm on 7.5 hectares to the east of the site (**21/1478**). There is an active application for an 81-hectare solar farm nearby (**21/631**)

5.0 Policy Context and Submissions

5.1. Development Plan

The site does not have a specific zoning designation in the current Louth County development Plan. It is in open countryside – a number of specific local and national plans relate to such infrastructure.

5.2. Natural Heritage Designations

There are no European designated sites within 10 km of the site. The Dundalk Bay SAC and Dundalk Bay SPA are just under 15km from the site – there are no watercourses on or adjacent to the site, but the lands are within the catchment of the River Fane, which discharges directly to the bay. There is one pNHA approximately 4 km north-east of the site (the Drumcagh complex of lakes and marsh).

5.3. EIAR

The pre-app determined that the proposed development did not fall within the scope of EIAR – the applicant has submitted a non-statutory environmental report with the application. I note that some consultees erroneously refer to this report as an EIAR. With regard to EIAR, the applicant in its Environmental Report (section 2) screened for EIAR.

It is noted that under Part 1 of Schedule 5, the applicable class is class 20:

Construction of overhead electrical power lines with a voltage of 220kilovolts or more and a length of 15 km.

As all powerlines for the grid connection will be underground this application does not fall within the scope of Part 1 of Schedule 5.

Relevant classes under Part 2 of Schedule 5 are as follows:

3(b): transmission of overhead cables... where the voltage would be 200kv or more.

10(b) and 10(b)(dd) under *'infrastructure projects.'*

The proposed development does not fall under any of these classes by way of the nature of the proposed development and its scale.

Under Section 7 of the Regulations criteria are set out for assessing whether or not the project will have a 'likely' and/or 'significant' effect on the environment.

Section 2.2.1 of the Environment Report outlines potential likely & significant effects on the environment under these criteria. It concluded that it would not result in any likely and significant effects on the environment, therefore an EIAR was not warranted.

I am satisfied that this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment. The Environmental Report submitted with the application addresses a variety of environmental issues and assesses the impact of the proposed development in addition to cumulative impacts with regard to other permitted developments in proximity to the site and demonstrates that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment.

I have assessed this Screening with regard to publicly available sources of information on the local environment and my observations during my site visit. I am satisfied that the screening has had full regard to the nature of the site and the surrounding area and represents an accurate assessment of the nature of the site. The site itself is grazing land with minimal environmental significance and the overall area is robust with no sensitive receptors nearby.

I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including the Environmental Report, associated documents and all plans and particulars and other related reports submitted with the application, in addition to my observations of the nature of the site and local area made during my site visit. The EIA screening report prepared by the applicant under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that this report is comprehensive and satisfies regulatory requirements. I

am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

I conclude that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility.

In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

5.4. SUBMISSIONS

Department of Housing, Local Government and Heritage

With regard to archaeology, it is recommended that a condition be attached for archaeological geophysical survey to be carried out and that an Archaeological Impact Assessment be submitted. The CEMP should include the location of all archaeological constraints.

With regard to nature conservation, it is noted that it is proposed that the site be plated with wildflower seeding and native whip planting mix. It is stated that this is not advised (refers to the All-Ireland Pollinator Plan). A condition is requested such that no wildflower or wild grass seeds to be introduced without prior written agreement. A condition relating to pesticide use is also recommended. A condition relating to light pollution is also recommended.

Louth County Council.

Notes policy ENV 39 with regard to the protection of existing hedgerows in new developments where feasible.

It is noted that in the Development Management Guidelines in Chapter 13 of the Louth CDP 2021-2027 that all development be accompanied by a landscaping plan.

Transport Infrastructure Ireland

It is noted that no national roads are directly impacted by the development proposal.

Notes that there is no assessment of abnormal loads in the application. Any such overweight vehicle must obtain a permit for its movement.

It is stated that the developer should consult with all PPP concessions, contractors and road authorities over the required haul route.

All damage to paving should be repaired in accordance with TII standards.

6.0 Assessment

Having inspected the site and reviewed the file documents, I consider that the proposed development can be addressed under the following headings:

- Background and description
- Policy context
- Visual impacts and amenity
- Cultural heritage
- Ecology (excluding NIS issues)
- Construction and transport issues
- Water and Drainage
- Appropriate Assessment
- Other issues

6.1. Background and description

This application is functionally connected to an existing permission for a solar PV and battery storage system including 2 no. 37kV substations (**21/631**), extended by an additional 30MW of capacity and 150MW of storage (**21/1478**). The background to the application is (as outlined in the report at pre-app stage) that the applicant became aware that the Movallet substation only has capacity on the 220kV side, and thus a more expensive grid connection warranted a larger project. The three phases of development permitted will utilise an entire 220kV connection, hence the need for a new station. This is to be a 'tail fed' connection to the existing Monvallet

substation, in lieu of the 2 no. 38kV substations permitted under 21/631. Note that a 'tail fed' connection (as proposed) does not function as part of the national grid.

The Board decided in its direction following the recommendation of the Inspector that the proposed development was Strategic Infrastructure (S.182A) and that it did not fall within the requirement of EIAR. It was noted that an NIS was prepared for the permitted solar farm, so an additional NIS was required for these works as the site is within the catchment of watercourses which drain to the coastal Dundalk Bay SAC and SPA.

6.2. Policy context

The site is in unzoned agricultural land next to a very large established ESB substation. The lands have an active planning permission for an extensive solar farm with associated infrastructure (**PR:21/631**).

The overall policy context is set by European level targets for renewables (**Directive 2018/2001/EU**) and related plans and guidance including the **REPowerEU Plan** from 2022 and the **Energy Roadmap 2050**. Irish national policy is set within **the National Planning Framework**, the **Integrated National Energy and Climate Plan 2021-2030**, White Paper 'Ireland's Transition to a Low Carbon Energy Future 2015-2030', the **National Energy & Climate Plan 2021-2030**, the **National Renewable Energy Action Plan** (on foot of Directive 2009/28/EC) and the **Climate Action Plan 2021**. All generally favour the expansion of solar energy within the context of infrastructure and environmental constraints.

The **Louth County Development Plan 2021-2027** has a number of strategic objectives (SO4, SO5, SO13 and SO19) which generally seek to facilitate and encourage indigenous renewable energy sources subject to normal planning and environmental considerations. Infrastructure and Public Utilities Objectives IU64 and IU 65 relate directly to encouraging and supporting the development of solar energy infrastructure.

As the proposed development is within an existing site with permission for a solar farm with storage, is adjacent to a major existing substation, and is of a type of development that is actively encouraged within EU, national and local plan policy, I would consider that the proposal should be viewed favourably subject to normal planning and environmental considerations.

6.3. Visual impacts and amenity

The site is within attractive and lush countryside where the drumlin country of Monaghan gives way to the more open plains around Dundalk. The area is relatively sparsely populated with scattered large farms and some small clusters of dwellings along the R178. There is a small cluster of dwellings and a roadside shop/café at Ballakelly crossroads within 2-300 metres of the site. The site is approximately 140 metres south of the closest of these dwellings. There are clear views towards the site from the crossroads, but from the adjoining road it is well screened by high hedges. The existing substation and associated high voltage lines running into it from north, south and west are among the most prominent features of the local landscape. An extensive solar farm is permitted on the overall 42 hectare landholding. The site is well grazed pasture. The historic village of Louth is 2 km to the south-east and not visible from the site or vice versa.

Having regard to the permitted development on the site, I do not consider that there would be a substantive loss of visual amenity in the area. The separation distance from the closest dwellings is such that there would be no noise impacts from operations, although the construction would involve substantial traffic and additional movements of heavy vehicles at the crossroads (addressed in the construction section below). I therefore consider that the proposed development would be acceptable subject to conditions ensuring adequate protection and strengthening of hedgerows and screening. I note that the DoHLGH requested a condition on lighting, but as no light stands are proposed I do not consider that this is necessary.

6.4. Cultural heritage

There are no recorded ancient monuments or buildings within the site or in close proximity or within the visual envelope of the lands. The application included an archaeological report which indicated no evidence of remains on the site. I noted what appeared to be non-natural features on the site (these are not indicated on any older OS maps or visible in any available aerial photographs). They are likely due to relatively recent agricultural works or small scale gravel extraction.

Older OS maps indicate a small farm track ran across the site, connecting to the east with Monvallet House, a late 19th century Italianate style house (now on the

opposite side of the ESB substation) – this house is listed on the NIAH as of regional importance. There are no visible remains of this track and I do not consider that it was part of the overall grounds or curtilage of the latter house.

The Department of Housing, Local Government and Heritage recommended a condition relating to archaeological surveys and monitoring of the works – I would recommend that this be attached to any grant.

6.5. Ecology (excluding NIS issues)

The site is improved grassland that has been intensively grazed and has little ecological value. There is a substantial native hedgerow between the development area and the adjoining road – some of which would be removed for access. The application documents included a survey but indicated that there is no evidence of amphibians, badgers or bats on or close to the site. Apart from a drainage ditch along the hedge, there is no watercourse within the site.

The Department of Housing, Local Government and Heritage recommended three conditions relating to the proposed enhancement of the site (set out in the Environmental Report submitted). It recommended against the use of wildflower seed mix and requested a condition for a sustainable vegetation management plan. Louth County Council also requested a condition for a landscaping plan including hedgerow protection.

6.6. Construction and transport issues

The application included a preliminary Construction Environmental Management Plan for the proposed works. I note that the works would seem likely to take place concurrently with the permitted solar farm. I consider this CEMP to be in accordance with good practice, although I would recommend that a final plan be subject to approval by the planning authority prior to works commencing.

The works will involve the importation of substantial electricity plant along a short stretch of the minor country road. TII noted that it would not impact directly on any national roads, but that the usual conditions and precautions are required if oversized loads are to be used, and to ensure that the road surface is not damaged (or that damage is repaired).

I would conclude that while construction impacts are likely to be quite significant locally, the construction period will be quite limited and would be within the bounds of acceptability subject to appropriate conditions.

6.7. Water and Drainage

Apart from a small drain (dry at the time of my site visit), there are no watercourses on or close to the site, and the lands appear to be well drained glacial tills. The closest watercourse is north of the R178 – a tributary of the Fane River which flows towards Dundalk Bay. The applicants set out standard water protection and drainage proposals within the Engineering Planning Report submitted with the application. It is proposed to use a SuDs approach for the overall design, which it is stated will maintain the existing overall drainage/runoff balance and as such would not have downstream flooding implications. There are no indications from available sources that the site is subject to pluvial or fluvial flooding.

It is noted that the site will not be permanently manned and will not require a sewerage or freshwater supply. It is stated that a holding tank for foul water for occasional occupancy of the IPP and control buildings (it is stated that they will be occupied by 2-3 people once a fortnight). I would consider this acceptable given the nature of the site and the proposed use.

6.8. Appropriate Assessment

The applicant submitted an NIS dated December 2022 carried out by Malone O'Regan Environmental, this included a stage I Screening.

Stage 1

This Screening identified 3 no. Natura 2000 sites within 15km of the site. These included the Dundalk Bay SAC (000455), Dundalk Bay SPA (004991) and the Stabannan Braganstown SPA, site code 004026. The screening addressed the nature of the site, other related permitted developments in the vicinity, the nature of the proposed development (including potential construction and decommissioning works) and applied a source-pathway-receptor model. A field survey undertaken on the 23rd October 2020 was conducted as part of the screening. The discussion of the site context noted the proximity of the Ballykelly River, Carnalughoge Stream and

Tullycahan streams within 1-km of the site – all drain to Dundalk Bay. There are no watercourses on or immediately adjoining the site.

The report screened out the Stabannon Braganstown SPA due to the distance from the site (more than 10km) and the absence of hydraulic connections between the site and the designated habitat – this habitat is not within the watersheds of any of the identified streams or rivers close to the site.

Although any potential impact was considered ‘highly unlikely’, because there are identified hydrological connections between the site and Dundalk Bay it was considered that there is the potential for adverse effects on the following qualifying interests of the two designated habitats within the bay:

- Mudflats and sandflats
- Atlantic salt meadows
- Estuaries
- Perennial vegetation of stony banks
- Salicornia and other annuals colonising mud and sand.
- Mediterranean salt meadows (*Juncetalia maritime*),

Plus the following bird species:

Great Crested Grebe, Greylag Goose, Light-bellied Brent Goose, shelduck, Teal, Pintail, Mallard, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Blackheaded Gull, Common Gull, Common Scooter, Ringed Plover, Knot, Herring gull, and other waterbirds.

This stage 1 AA screening report was prepared in line with current best practice guidance. It provides a description of the proposed development, identifies European sites within a possible zone of influence of the development, identifies the possibility of significant effects, addresses the likely cumulative impact, and assesses the significance of potential impacts.

Based on my site visit and information available from independent resources, I concur with the conclusion of this Screening Report that the Stabannon Braganstown SPA, site code 004026 can be screened out, but that the potential for adverse effects on the Dundalk Bay SAC (000455), Dundalk Bay SPA (004991) and their

qualifying interests cannot be screened out, therefore progression to Stage 2 (NIS) is required.

Stage 2

An NIS was submitted on the basis that the overall solar farm development was screened in as requiring an NIS due to hydrological linkages with the Dundalk Bay SAC and SPA, just over 10km east of the site.

The NIS notes the standard mitigation measures required for the construction of such sites and in section 3.5 outlines the required guidelines and standards for the protection of wildlife and water in such works. It is proposed that an Environmental Clerk of Works will inspect the site and be present during the works. It is noted that the proposed development will not require permanent manning and that any plant requiring the storage of oil or minerals will be bunded.

The NIS notes that there is no evidence of sensitive habitats or species on or close to the site – this is on the basis of both desk top work and a site survey. It is concluded that the only substantive potential impact is via hydrological connections between the site and other permitted developments and the two designated Dundalk Bay habitats. The NIS (section 7) summarises the works that may have a potential impact on water quality, during construction, operation and decommissioning works.

The **Dundalk Bay SAC site code 000455** is designated for qualifying interests including Estuaries, mudflats and sandflats not covered by seawater at low tide; perennial vegetation of stony banks; salicornia and other annuals colonising mud and sand; Atlantic salt meadows and Mediterranean salt meadows. The conservation objective is to maintain the favourable conservation condition of these habitats.

The **Dundalk Bay SPA site code 004026** is designated for a range of species associated with coastal habitats, tidal zones and estuaries, including species such as the Greylag Goose, Teal, Pintail, Plover, Knot, Dunlin and Curlew among others. The conservation objective is to maintain the favourable conservation condition of the coastal habitats associated with these species.

Section 6 of the NIS identifies the potential significant effects, including the loss of habitat, possible bird strike on electricity apparatus, and hydrogeological impacts. Section 7 of the NIS assesses the potential significant effects on the habitats. It notes the standard mitigation measures during construction to prevent run-off and to

control any accidental release of oil or other materials during the operation, and addresses potential in-combination effects with permitted developments in the area. The NIS concludes that the nature of the works ensures that there will be no changes to on-site drainage and there will be no direct discharges to surface water or groundwater during any stage of the developments. No in-river works or works within drainage ditches will be required as part of the development. It also notes that the separation distance from the site to identified watercourses is such that there would be considerable dilution of any pollutants prior to reaching Dundalk Bay. Subsection 7.3.1.1 of the NIS then outlines the basics for standard mitigation measures that will be taken to ensure there is no run-off to watercourses or groundwater contamination during the three phases of the development (construction, operation, decommissioning).

Section 7.4 analyses potential 'in combination' effects which address other permitted and proposed developments in the area, including a major solar PV farm. It is noted that NIS's were prepared for the permitted and proposed developments in the area, all of which concluded there would be no adverse impacts (apart from one, pending a decision by the planning authority).

Following an assessment of the nature of the site, the proposed development, and in particular noting the distance between the site and any watercourses, and the overall distance from the designated habitats, it is concluded that the proposed development will not, either alone or in combination with other plans or projects, adversely affect the integrity of the two identified EU habitats.

On the basis of my site visit and reading through available information resources, in addition to the submissions made as part of this application, I am satisfied that the NIS is based on an accurate survey and assessment of the designated habitats, habitats on and around the site, and potential pathways for pollution or other impacts. The site and surrounding areas do not have suitable habitat for any of the identified species and there is very significant attenuation between the site and the designated habitats due to local geology, hydrogeology, and the distance separating the site and the designated habitats. There are no watercourses on or close to the site and there are no visual indications of a high water table. As such, standard construction and operational mitigation measures would suffice to ensure that there would be no significant measurable impacts in Dundalk Bay. I have noted and examined the nature and extent of permitted developments in the area and the

NIS's submitted with these applications, and I concur with the conclusion of the NIS that there are no 'in combination' effects that could result in an impact on the conservation objectives of the designated habitats.

I am satisfied that the NIS submitted is fully comprehensive, in line with current best practice, and addresses all required issues. The proposed development is on agricultural land with no watercourses on or adjoining the land, and due to the separation distance from the Dundalk Bay designated sites I am satisfied that the conclusion of no adverse affects is reasonable and correct so long as standard best practice measures are implemented during construction and during the operation and decommissioning of the facility.

Therefore, in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended and having carried out screening for Appropriate Assessment of the proposed development, it was concluded that it would be likely to have a significant effect on the Dundalk Bay SAC and SPA site codes 000455 and 004026. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of these sites in light of their conservation objectives.

Following this Appropriate Assessment, I conclude that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites No's 000455 and 004026, or any other European site, in view of the sites Conservation Objectives.

My conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

6.9. Other issues

I do not consider that there are any other substantive issues in this application.

I note the suggested conditions from TII, the Department of Housing, Local Government and Heritage and the Local Authority and I consider that they are generally reasonable and recommend that they be set with the permission.

I note that the applicant submitted a decommissioning plan which I would consider part of the application, although the Board may choose to confirm it by condition.

7.0 Recommendation

I recommend that the Board grant permission for the proposed development for the following reasons and considerations, subject to the conditions set out below.

8.0 Reasons and Considerations

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

- (a) EU legislation including in particular: the provisions of Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which sets out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union, and the EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy,
 - (b) the National Planning Framework published in February 2018,
 - (c) the Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012,
 - (d) the provisions of the Louth County Development Plan 2021-2027,
- and also having regard to the following matters:
- (e) the nature, scale and design of the proposed development as set out in the planning application, existing permissions in the area, and the pattern of development in the vicinity,
 - (f) other relevant guidance documents;
 - (g) 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,
 - (h) the submissions and observations made to An Bord Pleanála in connection with the application,

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

that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

9.0 Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 developer shall appoint a suitably qualified ecologist to monitor all works relating to the proposed development and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna identified in the particulars submitted with the planning application are implemented in full in accordance with best ecological practice.

Reason: To protect the environmental and natural heritage of the area.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping and in accordance with the landscaping proposals set out in the particulars. Landscaping details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

The scheme shall include the following:

- a. A plan to scale of not less than 1:500 showing-existing trees and hedgerows to be preserved and details for the protection of same during the construction and operational phases of the proposed development.

- b. The species, variety, number size and locations of all proposed trees and shrubs which shall comprise predominantly native species.
- c. Details of all hard and soft landscaping works, specifying surfacing materials and finished levels.
- d. Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- e. A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the proposed development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. Wildflower and wildgrass seed shall not be introduced to the site unless with the prior written agreement of the Planning Authority. Trees and shrubs to be planted shall be of native Irish origin.

Reason: To conserve biodiversity and avoid the introduction of alien and non-native plant species.

5. Prior to the commencement of this development, a Pesticide Use Assessment must be carried out and that a Sustainable Vegetation Management Plan is agreed with the Local Authority.

Reason: To avoid environmental impacts associated with long term pesticide use.

6. Construction of the proposed development shall be completed in accordance with a construction environmental management plan, details of which are to be agreed with the planning authority prior to commencement of development. The plan shall incorporate the following mitigation measures:

The location of the site and materials compound, including areas identified for the storage of construction refuse.

The location of areas for construction site offices and staff facilities.

Details of site security fencing and hoardings.

Details of on-site car parking facilities for site workers during the course of construction.

Details of the timings and routing of construction traffic to and from the construction site and associated directional signage to include proposals to facilitate the delivery of abnormal loads to the site.

Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.

Measures for the protection of all road surfaces, culverts, watercourses and ditches during construction.

Details of appropriate mitigation measures for noise, dust and vibration, including the monitoring of such levels.

The containment and bunding of all construction-related fuel and oil within special constructed bunds to ensure that fuel spillages are fully contained.

Disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

A water and sediment management plan providing for the means to ensure that surface water run-off is controlled such that no silt or other pollution enters the local water courses or drains.

The construction environmental management plan shall be forwarded to the planning authority prior to commencement of development. The developer shall agree in writing with the planning authority a protocol for reporting and managing accidental spillages during the construction and operational stage that may cause soil contamination or surface water pollution.

Reason: In the interest of public health.

7. The developer shall facilitate the protection of archaeological materials or features which may exist within the site. In this regard, the developer shall–

- Notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,
- Employ a suitably qualified archaeologist who shall monitor all site investigation and other excavation works and
- 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.

8. Water supply and drainage arrangements, including the disposal of surface water, 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: To ensure adequate servicing of the proposed development and to prevent pollution

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

10. Noise levels from the substation shall not exceed 55 dB(A) rated sound level (corrected sound level for any tonal or impulsive component) at dwellings between 0800 hours and 2200 hours on any day and shall not exceed 45dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to and agreed with the planning authority prior to commencement of development.

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

11. 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

Philip Davis

Planning Inspector

30th June 2023