



An
Bord
Pleanála

Inspector's Report ABP-315456-23 - addendum

Development	220KV substation and 200KV underground connection, cabling and associated works (revised).
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.

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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 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. I wrote a report dated 30th June 2023 to the Board recommending permission for the proposed development subject to conditions. Following this, unsolicited revised plans were submitted by the applicant, dated 28th August 2023. The revised plans were considered to represent a material change and so it was re-advertised and 5 weeks allowed for submissions.

2.0 Proposed Development

The proposed development is described as a 220kV electrical substation was described (in summary) as follows in the original application:

- 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.

The revised submission was similar, with the following changes:

- Instead of 1 no. 220kv Station, 2 no. 110kV substations.
- 1 no. IPP building replaced with 2 smaller IPP buildings.

- The proposed Eirgrid Control building was redesigned, with different dimensions, but not significantly larger (18.5m x 5.5m x 4.9 m instead of 9.9m x 19.3m x 8 m).
- 1 no. power transformer and 1 no. house transformer replaced by 2 no. power transformers, 1 no. house transformer and 2 no. auxiliary transformers.
- 1 no. interface kiosk replaced with 2 no. interface kiosks.
- 3 no. lighting masts and 7 no. Lamp standards replaced with 9 no. lighting masts and 12. No. lamp standards.
- 1 no. proposed underground cabling (220kV) and ducting replaced by 2 no. underground cabling (110kV) with ducting.

All other items are as originally submitted.

3.0 Submissions

The applicant submitted a letter dated 1st September 2023 outlining the details and reasoning behind the revised plans along with an Environmental Addendum Report. The revised plans were re-advertised on site on 29th September 2023.

Transport Infrastructure Ireland

Notes that any operator who wishes to transport a vehicle or load whose weight falls outside the limits of the 2003 Regulations must obtain a permit from each local authority.

TII welcomes the clarifications provided in the response, and as such the position of TII remains as set out in the Authority's initial submission of 14 February 2023.

Applicant

In a letter dated 8th November the applicant noted that the TII observation does not require the submission of any new information, nor does it require any further clarification.

The Board is requested to consider the application urgently.

4.0 Assessment

The revised details addressed the nature of the changes and the implications for the original application.

With regard to EIA Screening, it is stated that the original conclusion that it would not require an EIAR remains valid. I concur with this conclusion – the revisions do not materially alter the impact of the proposed development within the context of the requirements set out in Schedule 5 or Schedule 7 of the 2001 Regulations (as amended).

With regard to AA, it is noted that the NIS submitted concluded that it would not adversely affect the integrity of any EU designated sites. It concludes that this remains valid. I am satisfied that the revisions are not material regarding any potential adverse effects, as the nature and scale of the proposed development and the overall development footprint has not changed. The analysis and conclusions of my assessment in the original report therefore still stand and no revisions are necessary.

With the exception of some minor local visual effects, the submitted report states that there are no significant alterations or material changes arising from the revisions. I concur with this assessment. Appendix A of the Addendum Report submitted by the applicants sets out several photomontage visualizations of the revised changes. I consider that these represent an accurate representation of the visual impact of the proposed development, including the revisions. I conclude that these are minor and do not alter my original recommendation, and I do not consider that any additional conditions are required to address the alterations.

5.0 Recommendation

I recommend that the Board grant permission for the proposed development for the reasons and considerations and conditions as previously set out in my report dated 30th June 2023. These are as set out below.

6.0 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.

7.0 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

11th December 2023