



An
Bord
Pleanála

Inspector's Report ABP-317498-23A

Development	10-year permission for 220kV sub-station compound and associated works.
Location	Woodtown, County Meath
Planning Authority	Meath County Council
Applicant(s)	Energia Solar Holdings Ltd
Type of Application	Application for approval under section 182A of the Planning and Development Act, 2000 as amended.
Prescribed Bodies	<ul style="list-style-type: none">• Department of Housing, Local Government and Heritage.• TII.
Observers	John Leanard, Rosalind Molloy, Mr and Mrs Nigel Longstaff, Louise Leanard, Community of Culmullin, Olivia Leanard.
Date of Site Inspection	24 th November 2023.
Inspector	Deirdre MacGabhann

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1.0 Introduction

- 1.1. This case concerns an application for strategic infrastructure under section 182A of the Planning and Development Act, 2000, as amended. It is made on foot of pre-application discussions with the Board under ABP-311020-21 for a 220kV electrical sub-station and grid connection, to the Maynooth-Gorman 220kV line, where the Board decided that the development would fall within the scope of section 182A of the Act and would be strategic infrastructure.

2.0 Site Location and Description

- 2.1. The 7.3ha application site is situated in the townlands of Woodtown and Culmullin, County Meath. It lies c.2km to the west of the R125 and c.2.5km to the south of the R154 both regional roads. The nearest settlements are Summerhill, c.6km to the west of the site, and Dunshaughlin, c.7km to the northeast. Dunboyne lies c.13.5km to the southeast. The proposed substation site comprises part of a larger agricultural field that is bound by hedgerows. On the western side of the field, the Maynooth to Gorman 220kV OHL crosses the site in a north south orientation. Access to the site is from the R125, via the county road (L-62051), an agricultural lane, an informal farm track and agricultural land. The L-62051 provides access to c.8 residential properties and agricultural buildings/land. Residential properties include Culmullin House, to the south of the road. To the north of Culmullin House, on the northern side of the L-62051, are the remains of a medieval church and associated graveyard. At the time of site inspection, the L-62051, a cul-de-sac, was very quiet with little traffic. The road is bound for much of its length by deep open ditches/drains and mature hedgerows and trees.
- 2.2. The development is situated in a rural landscape that is gently rolling and comprising medium to large agricultural fields. Development is largely isolated farms and one-off houses alongside public roads. Nearest residential properties are c.950m to the east of the substation site, c.1km to the southwest and c.875m to the west (see Figure 11-1, Environmental Considerations Report, ECR).

3.0 Proposed Development

3.1. The applicant is seeking a 10-year permission for the construction of a new 220kV substation compound and underground cable loop in connection to the existing Gorman-Maynooth 220kV overhead line. The Planning Statement states that it is intended that three solar farms (see Planning History) connect into the substation via underground cable with a maximum voltage of 33kV (considered to be exempted development under Class 26 of the Planning and Development Regulations, 2001, as amended). The sub-station will connect the solar farms to the national transmission grid and provide a new node on the transmission system. The development will comprise:

- A 220kV substation compound (c.22,639.8m²), to include:
 - Outdoor Air Insulated Switchgear (AIS) equipment, with 4 no. 220kV cable bays.
 - 14 no., 25m high, lighting protector masts.
 - 2 no. oil filled step down power transformers within bunded enclosures.
 - 2 no. single storey buildings, including a control building with ancillary services, and a customer Medium Voltage (MV) module.
 - A 2.6m tall palisade fence.
- Removal of the existing overhead line mast to facilitate the construction of 2 no., 21m high, Line-Cable Interface Masts (LCIMs), in line with the existing 220kV overhead line and installation of 220kV underground cable between the masts and substation.
- Telecommunications mast, maximum height 36m, within a 225m² enclosure (with 2.6m high palisade fence).
- New site access off the L-62051 and internal access road.
- Car parking.
- 5 passing bays on the L-62051.
- Drainage infrastructure.
- All associated ancillary site development works.

3.2. The site of substation extends to 2.24ha, the telecoms mast compound to 225m² and the footprint of the passing bay works is c.1.05ha.

- 3.3. The development will be connected to the public water mains by a new connection (see Site Location Map, drawing no. 60657534-ACM-DWG-500). Wastewater will be disposed of via an on-site treatment system (holding tank). Surface water will discharge to a drainage ditch situated to the north of the substation site and corresponding to the location of the existing field boundary (Substation Drainage Layout, Drawing no. 60657534-ACM-DWG-CM-509). The development includes site lighting via strategically placed lighting poles with a height of c.25m. Lighting poles will have hinged lighting mechanisms to allow the light cap to be lowered, moved and angled as appropriate. The development will be constructed by the applicant to EirGrid specifications with ownership transferred to ESB/EirGrid following construction.
- 3.4. Construction will take place over a period of 24 months (initial enablement works to commissioning). The number of construction workers will peak at 50 persons. Construction will take place Monday to Friday, 7am to 7pm and 8am to 1pm on Saturdays. Construction will take place in accordance with a detailed CEMP and all environmental protection measures contained in ECR will be incorporated into the CEMP.
- 3.5. Once construction works are complete, the works area will be reinstated with excavated soil and either seeded out with native species, allowed to revegetate naturally, or reinstated with excavated grass turves and restored to their original condition. Landscaping will consist of native meadow planting surrounding the compound, native hedgerow planting to the north and woodland planting of the screening berm to the east of the site (Drawing 60657534-ACM-DWG-CM-528).
- 3.6. The application to the Board includes:
- SID application form.
 - Plans and drawings.
 - Copies of site and newspaper notices (updated in July 2023).
 - Planning Statement.
 - Appropriate Assessment Screening Report and Natura Impact Statement (NIS).
 - Environmental Impact Assessment Screening Report.
 - Environmental Considerations Report (and associated appendices which include Flood Risk Assessment and Ecological Impact Assessment).

- Outline Construction and Environmental Management Plan (CEMP).
- Traffic and Transport Assessment.
- Residential Visual Amenity Assessment.
- Photomontages.
- A list of notified bodies (prescribed bodies, Appendix C).
- Community engagement brochure.

3.7. The applicant has created a standalone website for the development, <https://www.culmullinsubstation.ie>. It is stated in section 5.2 of the Planning Report that community engagement, with oversight by Project Manager and Community Liaison Officer, included distribution of information (information brochure on proposed development, including Traffic Management Plan) and contact details to households within just over 1km of the application site boundary, invitation to drop-in public information event which was advertised in the Meath Chronicle. It is also stated that engagement is on-going and will include throughout the construction process (if permission is granted) to minimise disruption.

4.0 Consultations

4.1. Details of the application to the Board were circulated to the following prescribed bodies:

- Minister for Housing, Local Government and Heritage.
- Minister for the Environment, Climate and Communications.
- Commission for Regulation of Utilities, Water and Energy.
- Inland Fisheries Ireland (IFI).
- Transport Infrastructure Ireland (TII).
- The Heritage Council.
- An Taisce.
- An Chomhairle Ealaíon (The Arts Council).
- Fáilte Ireland.
- Irish Water.

5.0 Submissions

5.1. Public Submissions

5.1.1. Six submissions have been received from the public. The following matters are raised:

- Impact of use of lane (cul-de-sac) during construction of substation and solar farm. Impact on daily lifestyle and personal security (8 families live along lane), intrusion and disruption, substantial increase in traffic volume (noise, congestion).
- The road surface and border are not constructed to accommodate heavy and outsized vehicles and likely deterioration beyond reasonable repair or restoration.
- Objection to construction of passing bay, outside of a resident's entrance, with destruction of natural banks, ditches and potentially tree/hedge loss. No consultation on passing bay no. 4.
- Impact on amenity of natural, quiet leafy lane used for sports training, equine education and training, walking and mental health peace and wellness. Impact on young horse training business and use of lane for walking and by wheelchair user.
- Impact on Old Culmullin graveyard (risk of subsidence).
- Two alternative access points are possible which do not have residents or houses. Both are designed and built to accommodate all types of heavy vehicles and uninterrupted traffic flow (a) Woodtown Lane (existing lane and right of way, direct access to 220kV sub-station site/line, holding compound, c.855 of solar panels are closest to this route with all landowners on route have commercial panels on their land versus two residents on Culmullin Lane, (b) Entry from L2207 Summerhill Dunsany Road (Teagasc lane to site). No households along the route, 100% owned by State (Teagasc actively tasked with helping the agricultural community decrease their CO₂ emissions).

5.2. Prescribed Bodies

5.2.1. Two submissions have been received from prescribed bodies:

- DHLG&H:
 - Nature conservation – Welcomes applicant's approach to revegetating the site and reinforcing of hedgerows. Advises against the proposed wildflower meadow using seed mixtures of non-local origin with potential for displacing native species and/or hybridisation. Recommend natural colonisation or seeding of native species collected in the immediate vicinity of the site.
 - Archaeology – (1) Advises that not all sources of information relevant to the identification of potential archaeological constraints have been consulted e.g. Google Earth imagery shows a circular cropmark, c.30m in diameter located within/immediately adjacent to the development site and indicates a potentially significant archaeological site and requirement for further geophysical survey and/or archaeological test excavation. (2) Advises against applicant's approach (deferring full archaeological impact assessment to post consent) and recommends an advance programme of archaeological geophysical survey and archaeological test excavation to provide substantive information on the archaeological resource that may be impacted and to allow for informed decision making. (3) Notwithstanding the foregoing, recommends conditions to be included in any grant of permission (archaeological impact assessment in advance of any site preparation works, CEMP to clearly identify and highlight location of all archaeological and cultural heritage constraints identified in proximity to the works and all mitigation measures to be employed, final archaeological report to planning authority and National Monuments Service).
- TII – Refer to the statutory role of TII to maintain the safety, capacity and strategic function of the national road network and the location of the highly important M3 and M/N4 national roads located to the east and west of the development site respectively. Advises that any crossing of the national road network, including by under or over pass, will require prior consultation with

TII and compliance with relevant standards. Recommends that where the national road network forms part of construction traffic haul routing, matters which have the potential to affect the maintenance and safety of the network be resolved as part of the Construction Traffic Management Plan e.g. consultation with national road network manager in respect of delivery timetabling, liaison with TII in advance of any temporary works, signage to TII standards, rectifying of damage.

5.3. Planning Authority

5.3.1. The planning authority submitted a Planning Report on the proposed development to the Board on the 22nd August 2023. The report refers to the nature and location of the development, the planning history of the site, relevant national, regional and local planning policies and guidelines and internal referrals. The report and Planning Assessment within it draw the Board's attention to the following matters:

- Part of the application site is in the townland of Culmullin, which is not referenced in the public notices.
- The Board should consider the applications made under ABP 314058, 312723 and 317822 (solar farms in the vicinity of the site) in tandem as they are intrinsically linked to each other.
- Principle – Development consistent with 'RA – Rural Area' designation and CDP objective '*To protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage*'. 'Sustainable Energy Installations' and 'Utility Structures' are permitted uses. Development will strengthen the grid connection, allow for greater capacity and underpin a transition to a low carbon society and consistent with national planning policy. The development is also required to connect Woodtown Solar Farm (PA ref. 212214 and ABP-314058) to the grid to export energy.
- EIA – EIA Screening Report refers to a range of mitigation and monitoring measures which will be contained in the Environmental Considerations Report (ECR) and NIS. These are not present in the NIS. Further, should the Board grant permission, it is recommended by the PA that the applicant be conditioned to plant hedgerows and install berms at appropriate locations

around the perimeter of the site to support visual integration of the development.

- Environmental Considerations Report (ECR):
 - Alternatives – The alternatives considered by the applicant did not reference a range of environmental impacts.
 - Biodiversity - No reference in Ecological Impact Assessment (EclA), to decommissioning phase of development. If the Board grant permission, request that the Board (a) condition the specific mitigation and enhancement measures identified in Table 7, Section 4.6.1 and 5.0 of the EclA, (b) require complementary mitigation measures across the Woodtown Solar Farm site and subject development site, (c) consider the impact of hedgerow removal on local ecological corridors, (d) require additional planting of native woodland of c.2ha or similar for removal of mature trees, woodland/hedgerows and submission of specific details of planting details, and (e) require an Invasive Species Eradication and Management Strategy with monitoring post completion of works (as construction activities have potential to import terrestrial or aquatic invaders).
 - Cultural heritage – Invite the Board to consider the emergence of new archaeological finds within the field where the proposed development is to be located (enclosure, ME043-062, scheduled for inclusion in RMP, added 25th July 2023). Recommends FI from the applicant to include archaeological geophysical survey, archaeological trial trenching and a strategy for preservation if there is archaeology present, in situ or by record, and consideration in the context of the Woodtown Solar Farm. The Report also recommends that the applicant consider the townland boundary between Woodtown and Culmullin, as part of the site is located in Culmullin.
 - Landscape and visual – Recommend that photomontages which illustrate the proposed development in combination with the proposed Woodtown Solar Farm to determine the cumulative visual impact of the development, including the impact of the entire project on the Hill of Tara.

- Traffic and transport – Refer to the submission by the Transportation Department (see below).
- Appropriate Assessment and NIS – The Planning Report refers to the submitted AA screening report NIS. Board should consider screening the European sites associated with the River Tolka for appropriate assessment (applicant did not do so). Along the access road to the site (local road and agricultural access), there are deep drainage ditches with water visible. The NIS refers to standard pollution control measures but does not include any mitigation measures. The Board should consider the cumulative effects of the development in tandem with Woodtown Solar Farm and any additional mitigation measures that may be required.
- Flood Risk Assessment and Management – Refers to the report by Environment (Flooding) Department (below).
- Design and Layout – Refers to the comments of the Architectural Conservation Officer in relation to the proposed finishes (see below). States that no CCTV poles etc. are provided and that in the event of permission being granted, such details, and material finishes shall be submitted to the PA for agreement. Recommends that removal of hedgerow and trees should be kept to a minimum to lessen the impact on the local landscape and ecological corridors and that additional landscaping is required. Fire safety details should be considered as part of the development (consult with Fire Office).
- Traffic and Transportation. States that where the local road meets the regional road, there is an existing building on the corner, which could limit turning movements for abnormal loads. Refers the Board to the comments by the transportation Department (below).
- Water services/wastewater management/surface water drainage/ other utilities. Invites the Board to consider any observations of Uisce Éireann in relation to water services utilities (water supply) and that consideration must be given to the existing services in the road infrastructure which must not be adversely affected by the development (other utilities/electricity supply). Invites the Board to consider the recommendations of the Environment (Surface Water/Flooding) Department (below). States that the proposals for laybys may affect the large drains and drainage ditches located along the

local road and agricultural track and may require specific works. The Report recommends that the Board advise the applicant to adhere to IFI (2016) Guidelines on protection of fisheries during construction works in and adjacent to waters, and that all works be supervised by an Environmental Clerk of Works and the Project Hydrologist as necessary.

- Outline CEMP. Recommends that the Board condition environmental mitigation and control measures set out in the CEMP these in the event of a grant of permission.
- Development contribution bond. Requests that the Board include a development contribution condition in respect of the development and a condition for a cash deposit/ bank bond or other such security with the PA to ensure a satisfactory completion of development.
- Conclusions. FI recommended for the issues raised above and in technical reports, below (townlands, sightlines at L-62051, red line boundary to accommodate all works to facilitate access off L-62051 onto R125, archaeological assessment, screening in of River Tolka European sites, mitigation measures in NIS, photomontages for visual impact of development and Woodtown Solar farm including from the Hill of Tara, planting details and planting of 2ha compensatory woodland.
- Conditions. Set out a schedule of conditions (section 8.7.1).

Technical Reports

5.4. The following technical reports are on file:

- Traffic and Transportation (21st August 2023) – No objections subject to condition requiring submission of details for agreement prior to commencement. These include provision of unobstructed sightlines at site access onto L-62051 (including, if necessary, revision to red line boundary), provision of traffic management plan to include details on haul routes to site and abnormal load assessment, condition survey of haul route and arrangements for repair of damage, temporary traffic controls and Road Opening Licences.
- The Environment/ Flooding/ Surface Water Section Planning Report (21st August 2023) – Recommend conditions in the event of permission being

granted to include submission of surface water management system that will be SuDS compliant for written agreement, infiltration testing prior to commencement, all works to comply with Greater Dublin Strategic Drainage Study, Policies and Practice.

- Broadband Department (7th July 2023) – No comments.
- Architectural Conservation Officer (21st August 2023) – Should the application be considered for approval, this should be conditional on (a) any service building requires to be referenced to MCC Rural Design Guide and integrated into the landscape as such, and (b) the use of matt dark green paint colour for all exposed metal work, service buildings, cabins, gates and fences.

6.0 Applicant's Response

- 6.1. The submission on the file from the PA, prescribed bodies and third parties have been circulated to the applicant. The response received from the applicant addresses each of the submission made:

DHLG&H:

- Nature conservation – No objection to recommendation that plants or seeds used in landscaping/reinstatement be locally sourced.
- Archaeology – Crop mark referred to by the DHLG&H, not specifically referenced in the ECR, but is noted to be outside the footprint of the development boundary, with no works proposed in this area. ECR mitigation measures include that given the potential for impacts to previously unrecorded archaeological remains, a programme of pre-development archaeological evaluation is recommended, in order to confirm the presence/absence of unrecorded archaeological remains. Requests that the completion of pre-construction archaeological investigations be managed by way of planning condition, as per ABP-311760 and 312723. The applicant has no objection to the proposed conditions as outlined by the NMS.

TII:

- Resolution of operational issues where national road network forms part of haul route - In line with the mitigation measures outlined in the Traffic and

Transport Assessment (Appendix 1, ECR) and the outline CEMP, a Construction Traffic Management Plan will be developed in consultation with MCC, the applicant and relevant stakeholders should consent be granted. As part of the CTMP, the applicant will consult with TII, all relevant private and public companies and road authorities to ascertain operational requirements including Deeds of Indemnity (where required).

MCC:

- Townlands: The majority of the built development is proposed in Woodtown townland. The new site access off the L-62051 and internal site access road and 5 no. passing bays on the L-62051 are within Culmullin townland. These elements, located in Culmullin, are within the redline boundary of the applicant's wider solar farm site 'Woodtown solar farm' granted permission by the Board under ABP-314058. The 'new site access' referenced in the substation application relates to the same entrance on the L-62051 approved under the Woodtown solar farm. The internal site access road falls within the site boundary of the applicant's Woodtown solar farm and not within public lands. The 5 no. passing bays are located on public land outside of previous approved boundaries (Woodtown solar farm) but are minor in nature. Information provided in the application and public notices reflects the development proposed.
- Archaeology (ME043-062 & cumulative effects): The National Monument Service's Historic Environment Viewer produces no records for this asset, added to the RMP in July 2023. The archaeological assessment in the ECR report considered the likelihood of impact to unrecorded remains within the footprint of the development and recommended pre-development archaeological evaluation controlled by condition. ECR considers the cumulative effect of the development with Woodtown solar farm. Woodtown solar farm to be subject to pre-development archaeological evaluation, and no potential for significant cumulative effects on unrecorded remains are anticipated. Where the developments overlap with the proposed development, no cumulative impacts will occur as there are no direct impacts to recorded monuments that will give rise to a significant impact.

- Consideration of subject development in tandem with PA ref. 212214 (ABP-314058): Both developments are in line with Meath CDP (strengthen grid connection, increase capacity, transition to a low carbon economy). The ECR assessed the cumulative impacts of the subject development with the Woodtown solar farm and with other existing and/or approved projects. It concluded that there was no potential for significant cumulative residual impacts associated with the development and the Woodtown solar farm.
- Design and finishes to structures: EirGrid have functional specifications which determine finish to equipment/structures (Appendix A of response). ECR Landscape and Visual Assessment identifies the most visible elements of the substation to be lightning and telecommunications masts. Siting of the development within the existing landscape, together with mitigation measures (in respect of retention of existing vegetation), construction of landscape berm with native shrubs and woodland and provision of native hedgerow along northeastern boundary of substation, increase screening from external areas. Effects on landscape character are not significant and there is no advantage to use of dark green paint on all exposed works and structures.
- Cumulative landscape effects and compensatory measures. There is no proposed removal of woodland. One tree and one hedgerow will be removed to form passing bays and the tree/hedgerow will be replaced (Table 7, EclA). Landscape assessment in ECR provides embedded landscape mitigation measures (section 14.6), maximises retention of vegetation, provision of landscape berm and native hedgerow along northeastern boundary to increase screening from external areas. ECR concludes that no additional compensatory measures are required (as per recommendations of Heritage Officer). ECR Landscape and Visual Assessment considers that the majority of available cumulative visual effects of the subject development and Woodtown solar farm, will be confined to locations in close proximity to proposed development, where there are no/few sensitive receptors. Cumulative effects in the wider area are considered to be low, due to screening provided by landscape context and mitigation measures. Photomontage of development from Hill of Tara in Appendix B of submission. Supports the findings that the development and Woodtown solar farm would

not be visible from the Hill of Tara and have no negative effects alone or in combination.

- Reference to mitigation measures in NIS: Section 5.1 of the NIS refers to proposed mitigation measures.
- Discrepancies between NIS, EIA screening and ECR (nearby water courses)¹: Applicant refers to section 8.4.2.1 of ECR report which identifies surface water features closest to the site.
- Alternatives: Government's Guidelines on EIA (sections 4.12 and 4.13) do not require alternatives in respect of project design, technology, location, size and scale to be assessed in detail. Proposed development was identified from several connection methods based on feasibility of connecting to transmission system, natural screening, accessibility from road network and opportunity to reduce additional road infrastructure required. Meath CDP zoning, and other environmental constraints, taken into consideration in site selection.
- Condition in respect of mitigation measures (Table 7 and section 5, EclA): The mitigation measures identified are to be considered as conditions.
- Hedgerow removal and mitigation measures: Impact of hedgerow removal has been considered in the ECR. Replacement planting to be provided (Drawings 606057534-ALM-DWG-CM-528 to 530) in coordination with the need for clearance beneath overhead transmission lines.
- Invasive species eradication and management strategy: No invasive non-native species identified in substation site. Non-scheduled, high impact invasive species Cherry Laurel present along road at passing bay. Request Invasive species eradication and management strategy as a pre-commencement condition/ site maintenance condition for the construction of passing bays.
- Comments by Transportation Department: The applicant shall comply with the Transportation Department requirements.

¹ NB These discrepancies are not specifically referred to in the PA report.

- Screening of European sites: In the NIS South Dublin Bay and River Tolka Estuary SPA was considered and subsequently screened out. There is a tenuous connection between the SPA and the site given the Moyleggan River is 150m from the site (separated by a natural buffer of agricultural land). If pollutants entered the river, they would have to travel c.31km downstream to the SPA. Any such pollutants would be subject to significant dilution with very likely imperceptible impact on the designated site or impact on the SCI species or habitats which support them.
- CCTV poles: The board is advised to request CCTV assembly construction detail as a pre-commencement/ site maintenance condition.
- Fire safety: The boards is advised to request fire safety details as a pre-commencement/ site maintenance condition.
- Sightlines at entrance onto L-62051, accommodation works to facilitate access off the local road L-62051 to R-125 to be identified and included in red line boundary: The proposed option to access the site benefits from the already permitted access with Woodtown solar farm. The L-62051 is 6m wide providing sufficient room for passing for the first 50m of this road from its junction with the R125. A Construction Traffic Management Plan will be developed to mitigate and manage the construction of the proposals.
- Additional planting details: One tree and one hedgerow (Cherry laurel – invasive non-native species) will be removed to facilitate passing bays and will be replaced. Embedded mitigation maximises the retention of existing vegetation where possible. Landscape berm will be planted with a mix of native shrubs and woodland and a native hedgerow will be planted along the northwestern boundary of the site. Planting in line with requirement to provide clearance for overhead lines. ECR landscape and visual assessment found no requirement for further compensatory measures.

Third party submissions:

- Transportation/ Access: Traffic generated by the development will be low. Peak traffic will be generated during construction and will be short term and negligible during operation. No footways in vicinity of site. Passing bays are spaced to allow drivers to see on-coming traffic and improve safety. A

Construction Traffic Management Plan will be developed in consultation with MCC, the applicant and other stakeholders and TII. Mitigation measures include condition survey of access routes, maintenance of agreed routes during construction and monitoring and agreeing maintenance costs. ECR predicts no significant impacts to human health during construction or operation.

- Alternative access/consideration of alternatives: Alternative locations for the sub-station have been considered (see above). The applicant has undertaken significant and appropriate community consultation and engagement as detailed in the ECR report.
- Construction timeframes: Construction activities will comply with procedures, standards, work practices and management responsibilities to address potential environmental effects during construction (outline CEMP and Construction Traffic Management Plan). During construction distances between the construction site and sensitive receptors are relatively large (c.950m+) and nuisance at nearby receptors is not likely to arise.
- Charm of laneway/resident living: Area of the cul-de-sac is assigned a low sensitivity in the ECR in terms of land use and accessibility. There are no receptors that would experience land use or severances effects. A temporary nuisance to the local population may occurring during construction, particularly in terms of noise, air quality and traffic effects. However, as no sensitive receptor is located in proximity to proposed development, impacts on air quality, noise and neighbourhood amenity as a determinant of human health is assessed to be neutral.
- Cultural heritage (graveyard): Proposed passing bay is c.23m to the southeast of the graveyard boundary wall (ME043-017001). Works associated with passing bay will have no impact on graveyard or its setting but will extend into the Zone of Notification and will require submission of notification of works to NMS.
- Equine business: Given no sensitive receptor located in proximity to proposed development, impact on air quality, noise and neighbourhood amenity as a determinant of human health is assessed as neutral. No likely

significant impacts on human health during operation. No increase in traffic during operation.

7.0 Planning History

7.1. The following planning applications are relevant to the proposed development:

- PA ref. 212214 (ABP-314058) – Permission granted by the PA for the construction of a solar PV energy development on a site area of 206ha, c.800m to the southwest of the subject site (Woodtown Solar Farm). In effect the development wraps around the proposed development. The PAs determination was appealed to the Board under ABP 314058, which was granted permission by the Board on the 14th December 2023, with revised conditions. The application identifies the subject site as the location of a future sub-station.

7.2. The following two solar farms will be connected to the transmission system via the subject development:

- PA ref. 21985 (ABP-312723) – Decision to grant permission granted by the PA for the construction of a 108.6ha solar PV energy development on land near Derryclare c.5km to the west of the subject site, to include solar panels, 27 no. MV power stations, 3 no. client substations, landscaping and ancillary works. Decision appealed under ABP-312723 and granted by the Board with revised conditions.
- PA ref. 221508 (ABP-317822) – Planning application for a solar farm development on a site of 171.34ha, on land at Bogganstown to the south east of the appeal site and R125, to include solar panels, associated cabling and ducting, 47 no. MV power stations, 3 no. client sub-stations, 3 no. temporary construction compounds, tracks, boundary security fencing and security gates, CCTV, landscaping and ancillary works, with a 40 year operational period. The PA decided to grant permission and the decision appealed to the Board under ABP-317822 and has yet to be determined.

7.3. It is stated in the Planning Report that the permitted North South EirGrid Interconnector and its associated corridor (ABP-VA0017), crosses over a laneway which extends north from the L-62051-0. I note that EirGrid's NSI public online

mapping indicates that the interconnector runs in a largely north-south orientation, to the east of the proposed sub-station site, west of the L-62051, crossing over a laneway that extends to the north of the local road.

7.4. Other development within 5km of the application site is set out in Appendix D of the ECR and summarised in Table 9.1 of the Planning Report. The developments largely reflect the rural land uses in the wider area and include a number of energy developments:

- ABP-311760 (PA Ref. 21546) – Permission for a solar farm with a total site area of c.91.9ha on land c.4.8km to the west of the subject site and adjoining ABP-312723 (above), was granted by the Board in May 2022.
- PA ref. RA170766 – Permission for a solar farm of c.23.6ha, on land c.4.7km to the southwest of the site, was granted by the PA in April 2018.
- PA ref. 221550 – Permission was granted by the PA in 2023, for installation of AIS electrical apparatus, lighting masts, new bays and alteration to existing equipment at Woodland 400/200kV substation, c.5km to the southeast of the subject site.
- PA 22837 and 23136 - Permission granted by the PA in 2022 and 2023 for a battery energy storage facility c.4.6km to the southeast of the subject site.

8.0 Policy Context

8.1. EU, National and Regional Legislation/Policy

8.1.1. EU, national and regional policy documents are relevant in respect of the proposed development and include:

- EU Directive 2009/28/EC and Directive 2018/2001/EU (Renewable Energy).
- National Planning Framework, Project Ireland 2040.
- Climate Action and Low Carbon Development Act (2015), as amended.
- National Mitigation Plan, 2017.
- National Adaption Framework, 2018.
- Climate Action Plan, 2023.

- Northern and Western Regional Spatial and Economic Strategy (RSES) 2020-2032.

8.1.2. The legislation and policy documents essentially promote, and set targets for, transition to a low carbon and climate resilient society and support the development of associated infrastructure, including the development of the electricity transmission system, to support this transition (e.g., to accommodate more diverse flows), subject to environmental safeguards.

8.2. Meath County Development Plan 2021-2027

8.2.1. The application site is situated within the administrative area of Meath County Development Plan 2021-2027. It lies outside of any settlement boundary and falls under the 'RA – Rural Area' designation. The objective of the zoning is *'To protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape and the built and cultural heritage'*. Sustainable energy installations and utility structures are deemed permitted uses within the zone.

8.2.2. Chapter 6 of the Meath CDP contains strategies and policies in respect of Infrastructure in the County. In section 6.1 it recognises the challenge of keeping pace with infrastructural demand for a growing county, whilst safeguarding public health and protecting environmental resources. In Section 6.15.3 (Renewable Energy), the Plan refers to the national policy context which requires a reduction in greenhouse gas emissions and to the potential for solar renewable energy in the county (amongst others). In section 6.15.3.1 Solar Energy, the Plan states that large scale solar farms have been positively considered on suitable sites within the County in the recent past. Policies of the Plan with regard to renewable energy are set out in INF POL 34 to INF POL 45 and in objectives INF OBJ 39 to INF OBJ 49. The policies and objectives support sustainable energy sources and renewable energy development, including solar, where development does not have a negative impact on the surrounding environment, including water quality, landscape, biodiversity, natural and built heritage, residential or local amenities.

8.2.3. Chapter 11 of the Plan contains Development Management Guidelines and Standards. These include in section 11.8.1 for Energy Development, policy DM POL 27, which encourages renewable energy proposals which contribute positively to

reducing energy consumption and carbon footprint, and DM OBJ 76 which sets out criteria for the assessment of individual energy development proposals. These include environmental and social impacts, traffic impacts including the effects of haul route, landscape effects, connection to the national grid, protection of natural heritage, proximity to structures of cultural heritage and cumulative impact assessment. Policy DM OBJ 77 sets out requirements for the assessment of individual applications for solar energy.

8.2.4. Policies in respect of landscape, cultural and natural heritage and climate change are set out in Chapters 8 (including Appendix 5, Landscape Character Assessment) and 10 of the Plan and are referred to as necessary in the assessment below. Appendix 4 of the Plan contains a Strategic Flood Risk Assessment.

8.2.5. Other relevant policy documents of MCC, referenced in the Planning Report, are:

- Meath Climate Action Strategy 2019-2025 – Aims to support businesses, social enterprises, public bodies and communities to change their energy systems to produce a climate resilient economy.
- Meath County Council Economic Strategy 2014-2022 – Sets out measures at accelerating the economic transformation, revitalisation and sustainable development of the county.
- County Meath Biodiversity Action Plan 2015-2020 – Provides a framework and series of actions to conserve, enhance and raise awareness of Meath's rich biodiversity and to maximise the contribution that it makes to the social, economic and environmental well-being of the County.

8.3. Natural Heritage Designations

8.3.1. The application site is removed from sites of natural heritage interest. Nearest sites are:

- River Boyne and River Blackwater SPA and SAC (site code 004232 and 002299 respectively, c. 9km to the northwest of the site.
- Rye Water Valley/Carton SAC (site code 001398), c.12km to the southeast of the site.

8.4. EIA Screening

- 8.4.1. A Screening Report for environmental impact assessment is included in the application documents. It describes the proposed development and refers to relevant legislation in respect of EIA in the State and the EU. The report concludes that the proposed development does not trigger mandatory EIA as set out under Schedule 5 Part 1 of the Planning and Development Regulations 2001, as amended. Further, it carries out an assessment of the need for EIA having regard to the government's 'Guidance to Consenting Authorities regarding Sub-Threshold Development' (DHLGH, 2020). It concludes that, having regard to the minor or localised nature of environmental effects, occurring principally during the construction phase of the development and implementation of CEMP no likely significant impacts on the environment will arise and a full EIA is not required.

Assessment

- 8.4.2. Part 1 and Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, set out classes of development for which EIA is mandatory. The proposed development, as an electricity substation and associated underground cable, does not fall within any of the classes of development set out in either Part 1 or Part 2.
- 8.4.3. The proposed development is brought forward to enable a solar farm(s). Solar energy development is not listed as a class of development for the purposes of EIA under Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). A requirement, therefore, for a preliminary examination or screening for EIA does not arise in respect of the development type.

Restructuring of rural landholdings

- 8.5. Schedule 5, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) requires environmental impact assessment for:

'Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or

where the area of lands to be restructured by removal of field boundaries is above 50 hectares’.

- 8.6. Access to the proposed sub-station is from the public road, via a short section of existing agricultural track and then across agricultural land (see Figure 2a, Habitats Map in Ecological Impact Assessment), with use of existing field entrances. There is therefore no loss of hedgerow, no recontouring or restructuring of lands. The proposed, development, therefore, does not trigger any requirement for EIA under this Class of the Regulations.

Private Road

- 8.7. Schedule 5, Part 2, Class 10(dd) of the Planning and Development Regulations 2001 (as amended) requires environmental impact assessment for:

‘All private roads which would exceed 2000 metres in length’.

- 8.8. The term private road is not defined in the Regulations.
- 8.9. As stated, access to the sub-station site is via the existing public road, existing agricultural track and across agricultural land via a ‘proposed access road’, as it is described in the planning drawings (e.g. Site Location, drawing no. 60657534-ACM-DWG-500 and Indicative Vehicle Tracking drawings sheets 1 to 8). It could be considered, therefore, to be a private road.
- 8.10. The Environmental Considerations Report indicates that the access roads will be temporary and constructed by stripping surface soils, placing geotextile reinforcement at subgrade level followed by a layer of granular material in accordance with the specification to form a working surface for vehicle. This would suggest a finished structure that would be more like an agricultural track, rather than a private road. However, the indicated access road also follows the ‘new access track’ indicated in drawings for the permitted solar farm under ABP-314058 (PA ref. 212214) and I assume that in effect it is the same track/road. The finish to the access track under ABP-314058, is indicated in the application drawings to be a ‘running surface’ over base/capping layer, with the running surface and base/capping layer to be formed from suitable materials compacted in layers.
- 8.11. Notwithstanding this, the length of the proposed access road in this instance (excluding the existing made-up length of agricultural track extending from the L-62051), is c.1,600m. This length of access road is sub-threshold. Further, the

development is modest in terms of its land take (i.e. typically 4.5m in width), is situated on improved agricultural grassland, which is abundant in the area, with no loss of sensitive habitat, and at distance from designated sites. Construction materials will comprise natural resources, but requirements will be relatively modest. Construction works have the potential to give rise to emissions which may be harmful to the environment e.g. increased sedimentation, hydrocarbons. However, given the relatively small scale and form of the development, environmental effects are unlikely to be significant and can be readily controlled by standard construction practices, as proposed by the applicant.

- 8.12. Having regard to the foregoing, I am satisfied therefore that the proposed development, if deemed to be a 'private road' would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required under this Class of the Regulations. A screening report (preliminary examination) is attached as Appendix to this Report, to this effect.

9.0 Planning Assessment

- 9.1. The subject development is brought forward to facilitate the connection of the permitted Woodtown Solar farm to the transmission system. It is also stated in the application documentation that the substation will facilitate connection of two other solar farms to the transmission system, ABP-312723 (granted permission) and ABP-317822 (with the Board). Having regard to (a) EU, national, regional and local planning policies which support transition to a low carbon society, the use of renewable sources and their integration into the transmission system, (b) the planning history of the site, and (c) the location of the development in a Rural Area designation where energy installations and utility structures are permitted, I am satisfied that the principle of development is acceptable.
- 9.2. Further, having examined the application details and all other documentation on file, including all of the submissions received in relation to the application, and inspected the site, I consider that the main issues in the planning assessment relate to the matters raised by the planning authority in respect of:
- Public notices and consultation.
 - Alternatives.

- Biodiversity.
- Water services and drainage.
- Material assets.
- Traffic and transport.
- Archaeology.
- Landscape and visual impact.
- Cumulative effects.
- Conditions.

9.3. Issues raised in respect of appropriate assessment are addressed in section 11 of this report. Fire safety is not addressed as this matter falls under another code.

9.4. **Public Notices and Consultation**

9.4.1. The PA raise concerns regarding public notices and the absence of reference to Culmullin townland. Third parties raise concerns regarding consultation in respect of passing bays.

9.4.2. The appeal site is situated in land which straddles two townland boundaries, Woodtown and Culmullin (see OS Historic 6" colour map). The proposed sub-station and associated structures and short length of the proposed internal access road lie within Woodtown townland. Most of the internal access road, new site access from the L-62051 and 5 no. passing bays lie within Culmullin townland. Access to the associated Woodtown Solar Farm, granted by the Board under ABP-314058, is also from the L-62051 via two existing access points. One of these comprises the proposed access road to the substation site from the L-62051. Notably, the application made under PA ref. PA ref. 212214 (ABP-314058) indicates that the site for the solar farm falls on land including Culmullin and Woodtown (and others).

9.4.3. The application to the Board is made under Section 182A of the Planning and Development Act, 2000 (as amended). In section 182A(4)(a), the Act requires that the applicant publish in one or more newspapers circulating in the area a notice indicating the nature and location of the development. The Act, in this section, is silent on the descriptive requirements in respect of location. Article 18(1) of the Planning and Development Regulations 2001, sets out requirements for newspaper notices for development requiring planning permission, and therefore provides relevant guidance on what statutory notices should reasonably include. Article 18(1)

states that the newspaper notice shall state the '*location, townland or postal address of the lands or structure to which the application relates (as may be appropriate)*'. The Article is therefore not prescriptive in terms of the requirement to refer to townlands.

- 9.4.4. The purpose of the public notices, as set out in the government's Development Management Guidelines is to inform the public of the proposed development and alert them as to its nature and extent.
- 9.4.5. In this instance, the public have been informed regarding the nature and location of the proposed development (including proposed passing bays), through the statutory notices and the public consultation exercise carried out by the applicant. Further, submissions have been made by parties along the local road that falls within the Culmullin townland and works proposed along it. I am satisfied, therefore, that the purpose of the public notices, which refer to the location of the development in the townland of Woodtown, has been served and further, that public consultation has been carried out in accordance with statutory requirements and best practice guidelines.

9.5. **Alternatives**

- 9.5.1. The PA's report on the development states that the alternatives considered by the applicant related to cost, capacity and feasibility and did not reference environmental impacts.
- 9.5.2. The ECR considers alternatives in section 4. The options considered relate principally to technical feasibility of connection to the transmission system, with the Gorman to Maynooth OHL being the favoured option. Site selection (for connection to this OHL) was based on proximity to line, presence of natural screening, accessibility from the road network and opportunity to reduce the additional infrastructure required to facilitate the connection of the associated solar farms to the national electricity grid.
- 9.5.3. It is evident from the applicant's response that the consideration of alternatives has largely had regard to technical issues of connectivity. Whilst this is not ideal, the subject development is not subject to EIA which requires an assessment of alternatives to consider environmental effects. Further, I note that some strategic environmental issues have been considered, for example location in proximity to OHL and solar farms (reducing land take/extent of environmental effects) and visual

screening, and that the application comes forward on lands which are not affected by any significant environmental constraint. I am satisfied therefore that in this instance, the assessment of alternatives is acceptable. Issues raised in respect of alternatives access roads are considered in the traffic and transport section of this report.

9.6. Biodiversity

- 9.6.1. Issues raised by parties to the application are destruction of banks and ditches to provide passing bays, loss of trees/hedgerows, compensatory planting, invasive species, natural recolonisation/use of native species rather than wildflower seed mix, decommissioning, complementary mitigation measures to be applied across development and Woodtown Solar Farm and conditions to require implementation of proposed mitigation measures.
- 9.6.2. Section 6 of the ECR deals with biodiversity and it refers to the EclA which is appended to the report (Appendix E). The EclA has regard to European and national legislation and planning policy and to baseline desk and field survey carried out in July 2021 and January 2023. It includes a preliminary bat roost and badger survey. Figures 2a and 2b identify the habitats within the footprint of the substation, internal access road and passing bays (location of passing bays are shown 60657534-ACM-DWG-002 to -009). Figure 3 identifies ecological constraints along the L-62051 in respect of bat roost potential and invasive species. Table 6 identifies important ecological features occurring within the site. These include woodland, hedgerows and treelines and the potential for the site to support foraging and commuting bats, badger, breeding and wintering birds, common frog, hedgehog, pine marten and other mammals (with Local Importance or Site importance only). Four areas within and/or adjacent to the passing bay site are identified with invasive non-native species, cherry laurel present.
- 9.6.3. Predicted impacts are considered in Table 7 and are assessed to be Negligible due to the absence of loss of woodland or hedgerow (except invasive species cherry laurel at passing bay site), loss of one tree only at passing bay 3 (Low bat roost potential) and mitigation measures (set out in Table 7). These include CEMP to detail how damage to woodland/hedgerows will be avoided, fencing off of areas where invasive species occur/appropriate management and eradication from site, felling of tree under licence, installation of bat boxes, direction of artificial lighting to

prevent light spill, pre-construction checks, vegetation clearance outside of the bird breeding season, covering of excavations/provision of means of escape.

9.6.4. Cumulative effects are considered in section 4.5. The EclA refers to planned solar farm and electricity developments in the area of the site (Table 8) and those at greater distance from the subject development i.e., >13km. It states that having regard to the mitigation measures set out in the EclA and NIS of the adjoining Woodtown Solar Farm (measures to prevent pollution of water courses, buffers from potentially sensitive ecological receptors, retention of trees and hedgerow planting) and mitigation measures in respect of the proposed development, no in combination effects are predicted. Further, it is stated that the remaining planning applications have no pathway to connect to the subject development (e.g., for waterborne pollution) and/or have included mitigation measures such as habitat retention and replacement. Therefore no in combination effects are predicted.

9.6.5. Habitat enhancement measures which the EclA states could be included are:

- Enhancement of the treeline and hedgerow with native species by the substation site,
- Strengthening the treeline which has substantial gaps to provide a more beneficial linear habitat increasing connectivity to the wider area,
- Provision of bat boxes and bird boxes within the development site, and
- Preconstruction surveys if required.

9.6.6. No specific ecological monitoring is recommended.

Assessment

9.6.7. I have read the ECR and EclA and having regard to the existing agricultural use of the substation site and access road, the modest extent of tree/hedge loss associated with the passing bays on the L-62051, and the proposals for mitigation of impacts (which can be required by condition), I am satisfied that the development will not have a significant adverse effect on the biodiversity of the site (see AA section of this report for effects on European sites). Notwithstanding this, I comment on the matters raised in observations and submissions below:

- Destruction of banks and ditches to provide passing bays. The applicant proposes 5 no. passing bays along the L-62051. These bays are indicated in drawing nos. 60657534-ACM-DWG-002 to -009. It is evident from the

drawings that for Passing Bays no. 1, 4 and 5, the existing roadside drainage ditch will be re-routed by filter drain alongside the widened road and for the length of the passing bay and the road widened by between c.5.5m and 7.0m. For Passing Bays no. 2 and 3, the existing open drainage ditch will be culverted by pipe or (no. 2) or terminated (no. 3) and the roadway widened to c.6.5m. Length of bays range from 40m (nos. 2-5) to c.55m (no. 1).

The ditches are not identified in the habitats map of the EcIA (Figure 2b), except for a short section in the area of passing bay no. 1. Similarly, the ditches are not identified as an ecological feature of the site and the impact of the loss of these is not addressed in 7. Notwithstanding the foregoing, the development will result in the loss of c.250m of the existing arrangement of banks and ditches and the loss of the associated habitat (even if water flow in the ditches is ephemeral). Such an effect is likely to be local only and whilst not significant adds to the loss of natural habitat as a consequence of the development. Means to mitigate potential effects on water quality are considered below.

- Loss of trees/hedgerows – It is evident from the application documents and applicant's response to submissions that the development requires the removal of one tree, at passing bay no. 3 (tree T05), and the removal of hedgerow in the vicinity of '*at the passing bay site that is dominated by cherry laurel*'. From the Habitat map, Figure 2b, it would appear that cherry laurel would be in the vicinity of passing bay nos. 2 and 3. The loss of invasive species is not significant and can be managed by condition, to include replacement planting with native species. Loss of T05 can also be managed by condition (and proposed mitigation measures), with felling under the guidance of an ecologist and licence from the NPWS if required.

Notwithstanding the foregoing, the drawings of the proposed passing bays indicate trees canopies that extend into the works areas. The canopies shown may be indicative. However, any works under any canopy will have potential to impact on the root zone. In order to protect all trees and hedgerows within the vicinity of the works areas, I would recommend a condition requiring provision of appropriate standoff distances from hedgerows and treelines, demarcation of root protection areas, replacement

planting in the event of loss etc. for agreement with the PA in advance of construction (to include for the passing bays, internal access road and substation site). Subject to this condition, and implementation of habitat enhancement measures (which can also be controlled by condition) I do not consider that there is any requirement for additional woodland planting of 2ha as proposed by the PA as there is no significant loss of habitat.

- Invasive species – The PA recommend an Invasive Species Eradication and Management Strategy be required, with monitoring post completion of works (as construction activities have potential to import terrestrial or aquatic invaders). This approach is not unreasonable given the risk of importation of invasive species during construction and could be included in the CEMP alongside measures to stop the management of works in areas where there is cherry laurel (as per Table 7 of the EclA).
- Reseeding – The DHLG&H advise that the development site should be allowed to revegetate naturally (or seeding of native species collected locally), and not by wildflower meadow using non-local origin seed, on the grounds of potential to displace or hybridise native species. The applicant has raised no objection to this recommendation, which is reasonable and in the interest of biodiversity.
- Decommissioning. The PA report states that the EclA does not refer to decommissioning. Whilst this is noted, the Planning report states, on page 9, at the end of the operational life of the sub-station will be decommissioned in accordance with prevailing best practice at the time. This approach is not unreasonable and can be addressed by condition, including that any decommissioning plan specifically addresses biodiversity.
- Mitigation measures – The PA recommend that ecological mitigation measures set out in Table 7, section 4.6.1 of the ECR and section 5 of the EclA be required by condition, and that complementary measures are implemented across the Woodtown Solar Farm site and subject site. If the Board decide to grant permission for the development, it would be appropriate that conditions set out in the ECR and EclA be implemented and controlled by condition. With regard to Woodtown Solar Farm, the Board has already

granted permission for this development, and it is subject to the full implementation of ecological mitigation measures.

9.7. Water Services and Drainage

- 9.7.1. The PA refer the Board to any observations made by Uisce Éireann in relation to water services, (water supply) and the Environment Department makes recommendations in respect of the treatment and disposal of surface water.
- 9.7.2. Section 8 of the ECR deals with potential effects on water. The site lies within the Boycetown_010 river Sub-Basin of the Boyne_SC_060 Sub-catchment. Survey of the site identifies minor ditches cutting through the northwest corner of the site and immediately to the southwest. In addition, there are stated to be streams c.120m to the northeast and c.180m to the southeast of the site. The closest mapped EPA surface water features is the 'Arodstown' (Boycetown Stream) which flows south to north, c.150m to the west of the site. The Arodstown/Boycetown Stream has Moderate status for the period 2016 to 2021 (Poor status for the period 2013-2018) and is 'At risk' of meeting WFD water quality objectives by 2027. Arodstown stream flows towards Derrypatrick River c.1km to the north of the site and eventually outfalls in the River Boyne c.9km to the northwest of the site. The passing bays intercept the open drains running parallel to the road. I note that passing Bays nos. 1 to 3 lie in the same sub-basement and sub-catchment as the Boyne. Passing Bays 4 and 5 appears to fall within the Tolka_020 Sub-basin and Tolka _SC_010 Sub-catchment.
- 9.8. The site is underlain by a 'Poor Aquifer – Bedrock which is generally unproductive except in local zones. Groundwater vulnerability is moderate below most of the site and high below the southern boundary. A Flood Risk Assessment is included in Appendix B of the ECR. It concludes that the flood risk from fluvial and pluvial flooding is considered to be low (development is located in Flood Zone C). Groundwater risk is also considered to be low.
- 9.9. Potential impacts on the water environment arise from the stripping of vegetation, movement of soils (increased sedimentation in surface water runoff) and excavated materials on site and use of potential contaminants.
- 9.9.1. The drainage strategy for the site is shown in Drawing 60657534-ACM-DWG-CM-509 and includes temporary land drains to manage flows during construction, installation of a surface water management system with controlled discharge (limited to 2l/s/ha) to a ditch to the north east of the site, specialised containment in high risk

areas and a filter drain around the west/southwest corner of the site where the platform is built into the rising topography with water diverted around the platform prior to discharging to the main platform drainage system.

9.9.2. The drainage report indicates that the drainage proposals have been developed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works and include an allowance for climate change. Foul water arising on site will be retained in two foul holding tanks, for emptying at regular intervals and removal to a licenced waste disposal facility.

9.10. Means to mitigate the potential for negative effects on water quality are set out in section 7.6 and 8.6 of the ECR. These include for the construction phase standard good practices to minimise sedimentation, fuel handling and storage and use of concrete and lime. These measures, and environmental monitoring during construction, will be included in the project CEMP. During operation, maintenance checks will be carried out to ensure potential contaminants are stored appropriately and the sealed drainage system will capture any potential leaks/spills from parked vehicles. Cumulative effects are not considered to be likely, having regard to the proposals to mitigate effects from the subject development such that they are not significant and the assumption that any concurrent projects would be similarly controlled.

Assessment

9.11. The proposed development site lies in proximity to a number of wet ditches and larger surface water bodies. These are indicated on OS mapping and include the drainage ditches which surround the agricultural field in which the substation is based and the drainage ditches alongside the L-62051. The construction phase of the development, and to a lesser extent operation, have potential to have significant effects on water quality in downstream water bodies by virtue of increased sedimentation, increased volume of flows and increased pollution. The measures proposed by the applicant to actively manage soil movements, potential pollutants and surface water arising on site particular during construction are standard measures which are effective in preventing significant effects and can be detailed in the CEMP to the satisfaction of the PA. In addition, and in order to prevent deterioration in water quality, as required under the WFD, and to prevent downstream impacts, as proposed by the Pa, I would recommend that works in the

area of open ditches and watercourses take place in accordance with IFI's guidelines on the protection of fisheries during construction work in and adjacent to water and appropriately supervised. This requirement should extend to all drainage ditches in vicinity of the site, including internal access roads.

9.12. Similarly, SuDS measures, included in the application can be subject to condition and agreement with the PA.

9.13. I note that the details of the proposed development were circulated to Irish Water and that no submission has been made by the statutory body. Further, the applicant has indicated that they have consulted the statutory body and proposed connect to the existing water network (Substation Drainage Layout, Drawing no. 60657534-ACM-DWG-CM-509), subject to connection agreement. This arrangement is acceptable.

9.14. **Material Assets**

9.14.1. The PA/Environment Department invite the Board to consider the effects of the development on existing services in the road infrastructure.

9.14.2. Section 12 of the ECR considers the likely effects of the development on Material Assets. It addresses the likely effects of the development on power and electricity, water supply and telecommunications. The report erroneously makes reference to Finglas 220kV substation (electricity supply) and to an external watermain to the northwest of the site (connection is to the east). Notwithstanding these errors, potential impacts identified are generic e.g., disruption of existing services in the road network with the provision of passing bays, temporary disruption in water/electricity supply with connection to water mains. Similarly, proposed mitigation measures will adequately address the potential for these and include, for example, excavation of trenches in consultation with ESB.

9.15. **Traffic and transport**

9.15.1. Submissions and observations raise concerns in respect of maintenance of the safety, capacity and strategic function of the national road network, turning movements at junction of L-62051 and R125, sightlines at site access onto L-62051 (including possible revision to red line boundary), traffic management plan (haul routes, abnormal loads, repair of damage, temporary traffic controls and Road

Opening Licence), impact on residents use and amenity of lane (L-62051) and objections to passing bays and alternatives.

9.15.2. Appendix I of the ECR comprises a Traffic and Transport Assessment. In section 1.3 it sets out the main construction elements of the development and associated activities. It is stated that construction activities will gradually phase out from pre-construction followed by commissioning and testing of the substation and equipment. It is expected that the number of construction workers required throughout the duration of the construction will peak at c.50 persons. Works will take place over 24 months within normal construction hours, 7am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Additional traffic movements are expected to peak at 80 vehicles a day, with 30 of these being HGVs. All construction traffic will be managed in accordance with the CEMP. The draft CEMP provides for:

- An agreed route for construction traffic.
- An Abnormal Load Assessment.
- Timing for construction traffic (e.g., outside of school drop off/pick up times).
- Condition survey.
- Maintenance of agreed routes during construction.
- Arrangements for monitoring and maintenance.
- Advance notification to the public of abnormal roads.

9.15.3. Operational traffic is considered to be minimal i.e., occasional maintenance. There is no assessment of cumulative effects.

Assessment

9.15.4. *National Road Network.* In response the concerns raised by TII in respect of the National Road, applicant argues that the details referred to can be addressed in line with the mitigation measures outlined in the Traffic and Transport Assessment and outline Construction Traffic Management Plan to be developed in consultation with MCC, the applicant and relevant stakeholders. This will include consultation with TII and all relevant all relevant private and public companies and road authorities to ascertain operational requirements including Deeds of Indemnity (where required). The PAs Transportation Department does not raise any objections to this approach, and I consider that it is not unreasonable given the short-term nature of construction

works, the matters of detail involved and the likely requirement to identify and resolve of issues in tandem with road operators.

9.15.5. *Junction of L-62051 and R125.* At the junction of the L-62051 and R125, sightlines on approach to the junction on the R125 from the north are restricted. This issue was raised in the application for Woodtown Solar Farm, where it was argued that the L-62051 is c.6m wide for the first 50m from its junction with the R125, allowing vehicles waiting on the R125 to turn into the minor road (i.e., reduce queuing time and risk of rear end collision). It was also stated that during the construction phase, clear construction warning signs would be placed on the approach to this junction and a delivery booking system would reduce the risk of HGV conflict along the L-62051. These site-specific measures are not included in the draft CEMP for the subject development. Notwithstanding this, the principle of use of the junction for construction traffic has been accepted by the Board and the similar mitigation measures could be included in the final CEMP for the development, to be agreed with the PA.

9.15.6. I note that the TTA does not include a cumulative impact assessment. From the information available on file and under ABP-314058 (PA ref. 212214, Woodtown Solar Farm), predicted peak vehicles movements from the subject development are 80 vehicles a day, with 30 of these being HGVs and for the Woodtown Solar Farm, 40 HGV a day, at peak. Concurrent construction of the solar farm and substation has the potential to significantly increase traffic on the minor road and turning movements at its junction with the R125. However, such effects will be for a short duration (2 year construction period for substation and 1 year for solar farm), will be mitigated by the provision of passing bays and can in principle be actively managed to reduce peak loads on the local road (e.g. scheduling of deliveries) and to provide for safe (managed) turning movements at the junction of the R125 and L-62051. If the Board are minded to grant permission for the development, this matter can be addressed via the CEMP which can be agreed with the PA in advance and controlled by condition.

9.15.7. *Sightlines at site access onto L-62051.* Sightlines at the junction of the site access road and L-62051 are restricted to the east. The red line boundary includes sufficient space for an abnormal load (16-axle girder trailer) to move through the existing farmyard and junction (drawing no. 60657534-ACM-DWG-CM-521). However, the area falling within the red line boundary includes land outside of the

existing road corridor, including hedgerows/hedgerow trees. Further, there are limited details on the design of the junction. For example, the Overall Concept Plan for passing bays (drawing no. 6065734-ACM-DWG-002) indicating that the existing access will be 'upgraded'. Notwithstanding this, the proposed upgrading of the junction in combination with passing bay no. 1 will improve sightlines significantly (to the east). Given the modest volume of existing traffic using this end of the cul-de-sac, the temporary nature of construction work and low levels of traffic associated with the operational phase of the development, in principle this arrangement is acceptable. However, if the Board are minded to grant permission, I would recommend a condition which requires detailed design of the junction to be submitted to and agreed with the planning authority in advance of construction (to include recessed entrance gate as proposed by the PA), with compensatory tree/hedgerow planting behind the proposed sightlines for any loss.

9.15.8. *Traffic management plan.* The PA recommend a TMP to address the construction phase of the development (e.g., haul routes, abnormal loads, repair of damage, temporary traffic controls and Road Opening Licence). This approach is reasonable, and the applicant has indicated that they would comply with such requirements. Further, and having regard to my comments above on cumulative effects, the TMP should consider the phasing of the subject development and construction of Woodtown Solar Farm.

9.15.9. *Impact on residential use of lane and amenity and passing bays.* Having regard to the predicted increase in traffic during construction, including HGVs, and despite the provision of passing bays, the effect on the amenity of the local road serving the site is likely to be very significant in terms of increase in vehicular traffic (including HGVs) and associated visual effects, noise and use and enjoyment of the lane (including use by the equine business and the elderly). Such effects will be even more substantial if the solar farm and sub-station are constructed in tandem.

9.15.10. The impact of the construction phase of the development is not acknowledged in the ECR for the small number of residential properties that are situated along the lane. Notwithstanding this, given the temporary nature of construction, the modest level of traffic associated with operation and the potential for the active management of traffic using the local road during construction, I do not consider this a reason for refusing permission. Impacts on amenity of the laneway as a result of passing bays and provision of sightlines at the junction with the L-62051 will occur, with the

potential to impact on the amenity and landscape character. However, impacts could be minimised by appropriate detailing and landscape replacement, for example, by condition requiring details in respect of existing hedgerows and trees in the area of the passing bays and sightlines at the junction with the L-62051, detailed design of junction/passing bays to minimise tree/hedgerow loss and replacement planting for all affected areas.

9.15.11. I also draw the Board's attention to section 11.5.1.1 of the ECR in respect of construction phase noise. In respect of the 'cable route' it states that this '*follows the L-62051 where there are properties on both sides of the road at quite small distances (some at less than 22m). Due to the small distances involved it is likely that the limits detailed in Table 14-7 [should refer to Table 11.8] are exceeded at the receptors during the construction*'. This statement is unclear. The application for the development states that the cable to connect the three solar farms will be installed under Class 26 Schedule 2 of the Planning and Development Regulations, 2001, as amended, as exempted development. The likely cumulative effects of cable laying, with other aspects of construction, are only referenced in the noise section of the ECR but such works are also likely to impact on access to the development site and to properties along the road. Notwithstanding the foregoing, Class 26 of the Schedule 2 of the Regulations refers to '*The carrying out by any undertaker authorised to provide an electricity service of development consisting of the laying underground of mains, pipes, cables or other apparatus for the purposes of the undertaking*'. The works are included as exempted development by virtue of their *de minimus* effects. If the Board are minded to grant permission for the development, I would recommend a condition that requires the phasing of construction works to include, if relevant, consideration of any cable laying works.

9.15.12. *Alternatives.* Third parties argue that there are alternative access points, which would better serve the development site, notably Woodtown Lane to the west of the site and the private access road serving Teagasc lands to the north of the development site. I have inspected three lanes that provide potential alternative access to the development site. These are seen in the photographs at no. 13 (off R125), no. 18 (off local road at Kilmore) and north of no. 22 (Teagasc lane).

9.15.13. A minor lane off the R125 to the south of the L-62051/R125 junction, is not made up and whilst largely removed from residential property, its use is likely to require significant loss of trees along its length. The minor road in the area of

Kilmore provides access to the site but is a narrow and winding road with a substantial number of residential properties along it and would be less suitable for HGV traffic. The Teagasc lane at Derrypatrick does not extend as far as the substation/solar farm site and would require a crossing of Derrypatrick River. I am satisfied therefore that the proposed access to the substation site is appropriate, despite the likely short term and significant effect on the L-62051. Further, the principle of use of the L-62051 for the construction of Woodtown Solar Farm has already been accepted by the Board.

9.15.14. *Cumulative effects.* As stated above, the cumulative effects of constructing the subject development in conjunction with Woodtown Solar Farm have not been considered. This may be as the applicant does not intend to construct the two developments together. Notwithstanding this, any sequential construction programme (and installation of underground cables to connect the substation to other solar farms) would extend the duration of works and duration of significant effects for residents. Whilst I acknowledge this impact, as stated above, I do not consider it sufficient reason to refuse permission and effects can be mitigated by conditions in respect of construction management.

9.16. **Archaeology**

9.16.1. Submissions in respect of archaeology raise concerns in respect of the circular crop mark that is situated adjacent to the development site (enclosure, ME043-062, scheduled for inclusion in the RMP, added 25th July 2023), the need for further geophysical survey and/or archaeological test excavation in advance of consent, the Culmullin/Woodland town boundary and possible subsidence/damage to Culmullin graveyard.

9.16.2. Section 13 of the ECR addresses Cultural Heritage. Figure 13-1 identifies the cultural heritage assets within 2km of the development site. These include the remains of the medieval parish church of Culmullin (ME043-017), associated graveyard (ME043-017001 and font ME043-017001) to the north of the county road providing access to the site L-62051 and a castle motte (ME043-018) and associated structures to the south of the road. The development site, passing bay 2, extends into the zone of notification associated with the medieval parish church of Culmullin and graveyard but does not impinge on the graveyard. Having regard to the cultural heritage setting of the site, the ECR considers that the site has good potential to

contain previously unrecorded archaeological remains, with potential for local or regional interest. Mitigation measures therefore include a programme of pre-development archaeological evaluation to confirm the presence or absence of previously unrecorded archaeological remains. This includes archaeological testing to comprise mechanical excavation of test trenches down to sterile glacial tills and bedrock by smooth toothless bucket at specified locations within the site and where construction will require sub-surface excavation works. In addition, the ECR states that archaeological works will be agreed with archaeological consultant and NMS, carried out in accordance with the National Monuments Acts 1930-2004 and government's Policy and Guidelines on Archaeological Excavation (DAHGI, 1999) and submission of notification of proposed works to NMS within the zone of notification of Culmullin Church and graveyard. No cumulative impacts are predicted on the basis of absence of likely significant effects arising from the subject development.

- 9.16.3. In response to the Department's concerns in respect of a crop mark in proximity to the development site, the applicant states that the crop mark falls outside of the development site and having regard to the findings of the archaeological survey and the potential for unknown archaeological remains, a programme of pre-development testing remains appropriate, to be managed by way of planning condition, as per ABP-311760 and 312723 (solar farms permitted by the Board to the west of the subject site). The approach is proposed on the grounds that pre-development archaeological evaluation (what is proposed in archaeology report) will indicate the presences (or absence) of significant unrecorded archaeological remains more accurately than a geophysical assessment (which will only indicate the presence of potential archaeological remains). The applicant also has no objection to the proposed conditions as outlined by the NMS.

Assessment

- 9.16.4. *Sub-Surface Remains.* I note that under ABP 311760, the Board's decision included a condition requiring the archaeological appraisal of the site and provision for the preservation, recording and protection of archaeological materials or features. The condition was based on archaeological context for the development, geophysical survey of part of the site (with limitations imposed by standing crops) and a commitment by the applicant to formulate an archaeological mitigation strategy that facilitates the maximum extent of preservation in situ of significant archaeology on

site and includes for example, a combination of exclusion and buffer zones to protect newly identified and potentially significant archaeological sites or features. Under ABP 312723, a similar condition was attached. In this instance the applicant had also provided a geophysical survey of the application site and test trenching. On the grounds that the geophysical survey was at a draft stage and in advance of results of the survey, DAU recommended pre-development testing as a specific condition of any permission.

- 9.16.5. The archaeological assessment of the development site has clearly identified the potential for unknown archaeological remains. This would be consistent with the geophysical survey carried out for the Woodtown Solar farm which identified probable and possible archaeological features and the precautionary approach recommended by DAU.
- 9.16.6. Ideally, geophysical survey and test trenching would occur in advance of any permission. In the absence of this, there is a risk that the development site may have to be altered, for instance to avoid a direct impact on archaeological remains. However, as the site is proposed adjoining a site for which geophysical survey has been carried out, the development site has a relatively modest in size and is situated outside of the cropmark which has been identified by DAU, I am satisfied that a programme of pre-development testing is appropriate, subject to satisfactory oversight by the NMS. The report could also address the townland boundary between Woodtown and Culmullin.
- 9.16.7. *Above Ground Features.* Passing bay 2 is situated to the south of the Culmullin Church and graveyard and within the zone of notification for the NMS and works will therefore progress under the oversight of the NMS. Subject to such arrangements, I do not consider that direct effects will arise on these features e.g., subsidence. However, alterations to the lane by the introduction of passing bays will impact on the character of the laneway and require careful detailing and landscaping. This matter can be controlled by condition.
- 9.16.8. *Cumulative Effects.* The proposed development is generally physically and visually removed from any above ground features of cultural heritage interest. There is no real potential therefore for significant cumulative effects on the setting of above ground features. For subsurface features, with the pre-development testing and the adoption of appropriate mitigation measures, supervised by the NMS, significant

impacts on sub-surface archaeology will not arise, or therefore the potential for significant cumulative effects.

9.17. Landscape and visual impact

9.17.1. Submissions and observations raise concerns regarding the impact of the proposed development on the amenity of the laneway serving the site, L-620251, cumulative effects with Woodtown Solar Farm, including impact on the Hill of Tara, the finishes of the structures/buildings and CCTV poles, additional landscaping and replacement woodland.

9.17.2. Section 14 of the ECR considers the landscape and visual impact of the proposed development. It has regard to guidelines for landscape and visual impact assessment, policies of Meath County Development Plan, the existing character of the site and its context and the assessment of the development from certain viewpoint locations (Photomontages, 1-9). The report recognises that the development will introduce light industrial land use the agricultural setting and large vertical elements into the landscape/visual context. It concludes:

- Landscape effects – The development will result in an increase of light industrial landscape character within the study area (1.5km radius of the substation site). However the development will be confined to one field boundary with existing hedgerows and mature tree lines confining this change in landscape character (for construction and operation) to the proposed development's immediate surrounds (200-300m), without significantly extending landscape effects into the wider study area and beyond due to the gently rolling drumlin hills, the significant intervening vegetation providing screening and significant distance from receptors.
- Visual effect – The lighting and telecommunications masts will be the most visible elements of the development. The substation and access road are confined within the boundary of agricultural fields and screened by the network of hedgerows and mature tree lines along field boundaries. The embedded landscape mitigation measures (maximum retention of existing vegetation, landscape berm with woodland planting to the east of the substation and a native hedgerow along the northeastern boundary of the site) will increase screening from external areas. Nearest visual receptors are

>900m to the northeast². Significant visual effects will be experienced locally (within c.300m), but not totally uncharacteristic (existing OHL). Introduction of passing bays on L-62051 also not uncharacteristic due to existing road use. Glimpsed views of the development will be possible in the middle distance (300m-1km) but will not be significant. Views beyond 1km become rare due to undulating topography and intervening vegetation screening partially or fully the proposed development resulting in either no visibility or not significant visual effects.

- Cumulative effects – The cumulative effects of the proposed development with Woodtown Solar Farm, which will wrap around the application site, are considered in section 14.8. The majority of the available cumulative visual impacts will be localised and confined to locations within the immediate area and where there are no sensitive receptors (except landowners/farmers). No significant cumulative impacts are predicted. From more distant views e.g., L-62051, the contained nature of the development within a larger field system, undulating character of study area and hedgerows/vegetation restrict the opportunity to experience cumulative views. Any such views will further reduce as mitigation measures for solar farm and subject development mature. Changes to the wider landscape character resulting from cumulative effects are considered to be not significant as topography and the screening effects of vegetation will limit or fully screen the development. With regard to other developments in the wider area of the site, the ECR states that these are at least 4.6km away from the development and will not result in any cumulative impact by virtue of scale, nature and distant location of projects identified and given that the impacts identified for the subject development are not significant.

Assessment

9.17.3. *Landscape and visual effects, additional hedgerows and woodland planting.* The application site lies in a rural area, within an agricultural field that is surrounded by other large fields. The topography is gently undulating, with the site rising from

² NB Appended to the ECR is a Residential Visual Amenity Assessment. It identifies residential properties in proximity to the development site (Figure 2.1 and Table 2.1). The residential properties differ from those identified in the noise assessment, Figure 11-1, ECR. However, in all cases residential properties are >800m from the substation site.

southwest to northeast. Agricultural fields are separated by hedgerows and hedgerow trees. The existing 200kV OHL crosses the western side of the substation site. Public roads frame the site but are removed from it. Nearest dwellings are c. >870m from the development site (see Figure 11-1, ECR) and a small number of dwellings lie alongside the L-62051 which will provide access to the site and accommodate five no. passing bays.

- 9.17.4. The site straddles two Landscape Character Areas (Meath CDP 2021-2027), no. 6 Central Lowlands and no. 12 Tara Skryne Hills, with High/Exceptional Landscape Value and Medium/High Sensitivity to change, respectively (see Figure 14-2 and 14-12 in ECR). There are no Protected Views in the area of the site.
- 9.17.5. Having regard to my inspection of the application site and surrounding area, views of it from the public road network and from residential properties in the area of the site and from elevated locations to the north and east, I am satisfied that the subject development will not be widely visible or detract from landscape character. The development will introduce change to landscape character and will be visible, but these effects will be very localised. Further, the landscaping berm proposed to the east of the development site and along its northeastern boundary will further reduce localised effects. I note that the applicant also proposes retention of existing vegetation the strengthening of hedgerows to the west/southwest of the site.
- 9.17.6. I have also discussed and accepted above that the proposed development has potential to significantly impact on the landscape character of the laneway with visual effects e.g., arising from provision of passing bays and junction at entrance to the site and I have recommended conditions to minimise and mitigate such effects. Subject to these measures, I do not consider that additional hedgerow planting or additional woodland is necessary, as proposed by the PA on the grounds of landscape or visual effects.
- 9.17.7. *Cumulative effects and effects on Hill of Tara.* The proposed development will serve three no. solar farms in the area of the site. Two of these developments, Derryclare Solar Farm (5km to the west of the site) and Wood Town Solar Farm (which wraps around the substation site), have been granted permission by the Board under ABP 314058 and ABP 312723 respectively. Bogganstown Solar Farm under ABP-317822, remains to be decided upon. Collectively, the presence of the solar farms will change the character of the rural environment from one which is dominated by

food production to one which is influenced by energy production. As presented, I do not consider that the number of solar farms in the area that have been granted permission reaches a 'tipping' point where the role, function or character of the rural area fundamentally changes. This is primarily due to the siting of the subject development and other solar farms within a landscape context which largely contains the infrastructure and precludes significant or distant views of it. This includes when viewed from the Hill of Tara which is c.10km to the north of the site. When viewed from this location, the development will appear against a rising backdrop and the slim features of the development, or low rising solar farms will not be significantly visible (see photomontages in applicant's response to appeal).

9.17.8. I would accept therefore that currently the cumulative effect of the subject development with other energy infrastructure development (and other proposed development) in the wider area of the site is not likely to result in significant adverse environmental effects. However, the Board may wish to consider this issue further in their determination of Bogganstown Solar Farm under ABP-317822.

9.17.9. *External finishes/CCTV poles.* In response to the PAs request that external finishes reference the Meath CC Rural Design Guide with use of matt dark green colours for exposed metal work service buildings, cabins etc., the applicant states that the development will be finished to EirGrid specifications which determine external finishes. I note that the EirGrid Functional Specification document attached to the applicant's submission in response to the matters raised by the PA, refers to steel masts and girders and requires a galvanised finish. Further, the applicant states that EirGrid will not accept green paints on HV equipment structures.

9.17.10. The approach taken by the applicant with regard to galvanised coatings. However, there is no reason that service buildings and fencing cannot have regard to the MCC Rural Design Guide, and this would seem appropriate given the rural location of the development and the potential for sensitive colours to further reduce visual effects.

9.17.11. The PA refer to the absence of CCTV poles etc. and state that if permission is granted, such details and finishes are submitted to the PA for agreement. This approach is reasonable, given the limited visibility of the development, is not opposed by the applicant and can be addressed by condition.

9.18. Cumulative Effects

9.18.1. The PA invite the Board to consider the application for Woodtown Solar Farm (314058) and Bogganstown Solar Farm (317822) together with the subject development. As stated previously, the Board has decided to grant permission for Woodtown Solar Farm and is yet to make a decision in respect of Bogganstown Solar Farm. Further, I have examined the cumulative effects of the proposed development in conjunction with other planned and permitted development in the area of the site, notably in respect of traffic and transport, archaeology and landscape and visual effects, and for the reasons stated I am satisfied that significant adverse cumulative effects will not arise.

9.19. Conditions of the permission, development contribution and bond

9.19.1. The PA recommend conditions, should the Board grant permission for the development. These include a development contribution and security bond. I have had regard to these recommendations in my schedule of conditions below.

10.0 Appropriate Assessment

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

10.1.1. The requirements of Article 6(3) in respect of 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.

10.2. The Application

10.2.1. The applicant has submitted a screening report for appropriate assessment as part of the planning application 'Appropriate Assessment Screening Report', June 2023. It is appended to the Natura Impact Statement (June 2023). The report has been prepared in line with current best practice guidance and case law. It provides a description of the proposed development and identifies European sites within the possible zone of influence of the development having regard to source-pathway-receptor approach, adopting a precautionary approach and having regard to a 15km+ distance from the site. The report refers to the potential for hydrological connectivity between the proposed development and the River Boyne and River Blackwater SAC and SPA (9.4km to the northeast), and very low potential for surface water hydrological connectivity to South Dublin Bay and River Tolka Estuary SPA (c.30km to the southeast).

- 10.2.2. The Screening Report concludes that the view of best scientific knowledge and on the basis of objective information, likely significant effects from the proposed development on any European site, whether individually or in combination with other plans or projects, beyond reasonable scientific doubt, can be excluded.
- 10.2.3. Notwithstanding this conclusion, the subsequent NIS report taking a precautionary approach, and as the surrounding solar farm screened in for AA, provides an assessment of the potential for adverse effects on the River Boyne and River Blackwater SAC and SPA.
- 10.2.4. Having reviewed the documents, submissions and consultations on file (including the NIS which is examined below), 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.

10.3. Brief Description of the Development

- 10.3.1. The proposed development is described, in summary, in section 1.1. of the Screening Report. It is also described in section 2 of the ECR and in section 3 of this report. In brief, a 10-year permission is sought for the construction of a new 220kV substation compound and underground cable loop in connection to the existing Gorman-Maynooth 220kV overhead line. It is intended that three solar connect into the substation via underground cable with a maximum voltage of 33kV (considered to be exempted development under Class 26 of the Planning and Development Regulations, 2001 as amended). Access to the site will be via local road L-62051 and an existing farm access track and agricultural land. The L-62051 will be upgraded with the provision of 5 passing bays along the L-62051 and internal site road will be provided to the sub-station site from the L-62051.
- 10.3.2. Construction will be in accordance with a Construction Environmental Management Plan and Traffic Management Plan. The CEMP includes best practice construction methodology and the free draining granular fill to the station platform will provide a level of SuDS treatment and an element of attenuation to surface water (see Drainage Strategy drawing no. 60657534-ACM-DWG-CM-509).
- 10.3.3. Taking into account the characteristics of the proposed development in terms of its location and scale of works, the following issues are considered for examination in terms of implications for likely significant environmental effects:

- Disturbance species e.g., increased noise, artificial lighting, presence of personnel, plant or machinery (construction and operation).
- Deterioration of habitat e.g., dust, uncontrolled discharge of surface waters, with potential for increased sedimentation and/or contamination (construction and operation).
- Spread of invasive species (all phases).

10.4. Submissions and Observations

10.4.1. The PA raise issues respect of screening the development for potential effects on River Tolka associated European sites, the absence of mitigation measures for works in proximity to deep drainage ditches (local road and agricultural access), cumulative effects with Woodtown Solar Farm and the potential for additional mitigation measures.

10.4.2. European Sites

10.4.3. The proposed development is not located in or immediately adjacent to any European site. However, a number of sites lie in the wider area, and these are examined below for possible connections to the subject site having regard to the source-pathway-receptor approach. These are considered below.

Table AA1. Summary Table of European Sites within a possible zone of influence of the proposed development

QI/SCI	Distance	Connection (S-P-R)	Considered further Y/N
River Boyne and River Blackwater SPA (004232)			
Kingfisher (<i>Alcedo atthis</i>) [A229]	9.4km (NW)	<p>Development site and SPA are situated in the same sub catchment, Boyne_SC_060, providing a potential hydrological pathway.</p> <p>Groundworks are proposed in proximity to surface water ditches/drains, which drain to Boycetown_010 (c.190m to the west of the substation site and c.1km to the east of the L-62051), which ultimately discharge into the SPA. Potential for indirect effects on QI (deterioration in water quality).</p> <p>No potential for direct effects, with Kingfisher territories typically c.1km from river (can extend to c.3-5km).</p> <p>Some potential for spread of non-native invasive species Cherry laurel via ditches/banks that adjoin the L-62051/passing bays (seeds can be dispersed by water).</p>	Yes
River Boyne and River Blackwater SAC (002299)			
<p>Alkaline fens [7230]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p>	9.4km (NW)	<p>Development site and SAC are situated in the same sub catchment, Boyne_SC_060, providing a potential hydrological pathway.</p> <p>Groundworks are proposed in proximity to surface water ditches/drains, which drain to Boycetown_010 (c.190m to the west of the substation site and c.1km to the east of the L-62051), which ultimately discharge into</p>	Yes

Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]		the SPA. Potential for indirect effects on QIs (deterioration in water quality). Sime potential for spread of non-native invasive species Cherry laurel via ditches/banks that adjoin the L-62051/passing bays (seeds can be dispersed by water).	
Rye Water Valley/Cartron SAC (001398)			
Petrifying springs with tufa formation (Cratoneurion) [7220] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]	12.3km (SE)	This SAC is situated in a different sub catchment to the development site, the Liffey_SC-080 sub catchment, the development site has no hydrological connection to it.	No
South Dublin Bay and River Tolka Estuary SPA (004024)			
Light-bellied Brent Goose (Branta bernicla hrota) [A046] Oystercatcher (Haematopus ostralegus) [A130] Ringed Plover (Charadrius hiaticula) [A137] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Redshank (Tringa totanus) [A162]	>30km (SE)	Two passing bays lie within the Tolka_SC_010 WFD sub catchment and surface water drains to streams and rivers which ultimately outfall to the SPA. However, given the modest scale of works, the significant distance between the development site and the SPA, the potential for dilution and dissipation significant effects of the conservation interests of the site are highly unlikely.	No

Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]			
Roseate Tern (<i>Sterna dougallii</i>) [A192]			
Common Tern (<i>Sterna hirundo</i>) [A193]			
Arctic Tern (<i>Sterna paradisaea</i>) [A194]			
Wetland and Waterbirds [A999]			

10.5. Identification of Likely Effects

Rye Water Valley/Carton SAC (001398) and South Dublin Bay and River Talka Estuary SPA (004024)

- 10.5.1. Potential effects on Rye Water Valley/Carton SAC (001398) and South Dublin Bay and River Talka Estuary SPA (004024) can be readily ruled out on the grounds of (a) European site is located in a separate surface water sub-catchment, and (b) significant distance, respectively.

River Boyne and River Blackwater SAC (002299) and SPA (004232)

- 10.5.2. With regard to River Boyne and River Blackwater SAC and SPA, these European sites are substantially removed from the development site. Consequently, there is no potential for significant effect arising from habitat loss or fragmentation. The application site is situated within a network of agricultural fields and works are proposed alongside the public road (passing bays). Deep ditches run alongside field boundaries and alongside the public road. These drain to small streams and rivers in the area of the site which ultimately discharge to the SAC and SPA to the east of Trim, approximately 9.4km to the northwest of the site (more by water). Rivers in the area of the site include two streams identified as 'Boycetown_010' which flow (a) from south to north approximately 190m to the west of the substation site and (b) from southeast to northwest c.1km to the north of the L-62051. Both have 'Moderate' status for the period 2016-2021 ('Poor' status for the period 2013-2018) and 'At risk' of not meeting WFD objectives by 2027.
- 10.5.3. Having regard to the foregoing and the construction activities proposed which include substantial earthworks (and to a lesser extent operation), there is potential for the development to give rise to increased sediment in surface water and/or pollution of surface water. Whilst these effects will dissipate with distance, as the subject development is proposed alongside a permitted solar farm and other permitted solar farms in the same sub-catchment (ABP 311760 and 312723) there is potential for cumulative effects on water quality the catchment and therefore on the QI/SCI of the SAC and SPA, into which the catchment discharges. Adverse effects on water quality may also impact on the mobile QI/SCI of the European sites. In addition, with the presence of Cherry laurel alongside the proposed passing bays, there is some potential for spread of this invasive species along water courses to

SAC and SPA (potential is low given the distance from downstream European sites, modest nature of works and limited flows in ditches alongside the L-62051).

- 10.5.4. With regard to disturbance effects, the substation site is situated c.190m to the east of Boycetown_010. At this distance, and as no in-stream works are proposed, disturbance effects on QI/SCI are not likely. For example, guidance published by the NRA 'Guidelines for the Treatment of Otters prior to the construction of national road schemes' recommends a buffer zone of 150m around a breeding otter holt, with this distance being substantially reduced for non-breeding holts.

Summary

- 10.5.5. In summary, the potential for effects on the River Boyne and River Blackwater SPA and SAC (004232 and 002299) arise from the risk of water pollution and spread of invasive species, by the proposed development and in conjunction with other development within the sub-catchment, with direct and indirect effects on QI/SCIs.

10.6. Screening Determination

- 10.6.1. 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):

- a. Would not be likely to give rise to significant effect on European site nos. 001398 (Rye Water Valley/Carton SAC) and 004024 (South Dublin Bay and River Tolka Estuary SPA), and
- b. Could have a significant effect on European Site Nos. 002299 and SPA 004232 in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is therefore required.

10.7. The Natura Impact Statement

- 10.7.1. The planning application includes a NIS 'NIS Culmullin 220kV substation', June 2023. The report refers to the conclusions of the screening report (no likely significant effects on European sites) and states that as a precautionary approach and given the interrelationship to the surrounding proposed solar farm development the applicant decided to undertake an AA (this should refer to the preparation of an NIS) as the broader solar farm screened in for AA. It examines and assesses

potential adverse effects of the proposed development on the River Boyne and River Blackwater SAC and SPA. The applicant's screening report has been prepared in line with current best practice guidance and case law (section 1.5). Data sources include NPWS, National Biodiversity Data Centre, data on surface water quality and groundwater quality status, river catchment boundaries and planned/permitted projects in the area of the site (section 2.1 and Table 3). The NIS concludes that on the basis of objective information, the proposed development will not result in adverse effects on the integrity of any European site, either individually or in combination with other plans or projects.

10.7.2. Having reviewed the documents, submissions and consultations on file, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the River Boyne and River Blackwater SAC and SPA alone or in combination with other plans and projects.

10.8. Appropriate Assessment of implications of the proposed development

10.8.1. The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the following European sites using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed:

- River Boyne and River Blackwater SAC.
- River Boyne and River Blackwater SPA.

10.8.2. The QIs of these sites are set out in Table AA2 below, together with the conservation objectives for the individual QI and any relevant attributes and targets. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website (www.npws.ie). Also set out in Table AA2 are the aspects of the proposed development which could adversely affect the conservation objectives and mitigation measures which are proposed to be implemented to prevent adverse effects. Overall conclusions are given on the likelihood of significant effects on the integrity of the European site.

Table AA2: AA Summary Matrix for River Boyne and River Blackwater SAC

<p>River Boyne and River Blackwater SAC (site code 002299): Summary of key issues that could give rise to adverse effects:</p> <ul style="list-style-type: none"> • Water pollution. • Spread of invasive species. <p>Detailed conservation objectives available: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002299.pdf M = To maintain the favourable conservation condition of the QI. R = To restore the favourable conservation condition of the QI.</p>					
QI and Conservation Objective (M or R)	Targets and Attributes	Appropriate Assessment			Can adverse effects on integrity be excluded
		Potential Adverse effects	Mitigation Measures	Cumulative Effects	
Alkaline fens [7230] M	Area stable or increasing. No decline in habitat distribution or size. Maintain ecosystem functions, vegetation composition and structure and hydrological regimes.	Water quality degradation with indirect effects on water quality dependent habitats and species.	Distance from main water bodies. Dilution in intervening waterbodies. Implementation of industry standard good practice measures and site-specific measures (section 4.4 of CEMP and Table 7 of the EclA).	Projects occurring in the area of the site are summarised Table 3 NIS. These include solar farms granted within the same catchment (ABP-314058, 311760 and 312723). All development subject to screening for AA and Board decisions concluded no potential for adverse effects on European sites.	Yes.
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnus incanae</i> , <i>Salix alba</i>) [91E0] R	Area stable or increasing. No decline in habitat distribution or size. Maintain woodland structure, vegetation composition and hydrological regime.	Risk of invasive species spread (with indirect effects from competition changes to composition of vegetation/ ecosystem dynamics).	Condition to require specific controls for works in proximity to waterbodies (IFI guidelines).	Subject to strict implementation of mitigation measures, proposed development will not result in adverse impact on European sites.	Yes.
Lampetra fluviatilis (River Lamprey) [1099] R	Distribution – restore access to all water courses, maintain distribution, population		Condition to require Invasive Species Invasive Species Eradication and Management Strategy for the site, to include	No potential therefore for cumulative effects.	Yes.

	structure and density of larvae, no decline in extent and distribution of spawning habitat.		monitoring post completion of works.		
Salmo salar (Salmon) [1106] R	Distribution – restore access to river channels. Maintain number of adult spawning fish, salmon fry abundance, no significant decline in out migrating smolt abundance, number and distribution of redds, maintain water quality (Q4).				Yes.
Lutra lutra (Otter) [1355] M	No significant decline in distribution, extent of terrestrial and freshwater habitat, couching sites and hots, fish biomass available and barriers to connectivity.				Yes.
Overall conclusion: Integrity Test. Following the implementation of mitigation measures as proposed by the applicant and as supplemented by the additional measures referred to above, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects					

Table AA3: AA Summary Matrix for River Boyne and River Blackwater SPA

River Boyne and River Blackwater SPA (site code 004232): Summary of key issues that could give rise to adverse effects: <ul style="list-style-type: none"> • Water pollution. • Spread of invasive species. Conservation Objective: Generic. To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004232.pdf					
QI and Conservation Objective (M or R)	Targets and Attributes	Appropriate Assessment			Can adverse effects on integrity be excluded
		Potential Adverse effects	Mitigation Measures	Cumulative Effects	
Kingfisher (Alcedo atthis) [A229]	None specified.	Water quality degradation with indirect effects on water quality dependent habitats and species. Risk of invasive species spread (with indirect effects from competition changes to composition of vegetation/ ecosystem dynamics). Water quality degradation.	Distance from main water bodies. Dilution in intervening waterbodies. Implementation of industry standard good practice measures (section 4.4 of CEMP and Table 7 of the EclA). Condition to require specific controls for works in proximity to waterbodies (IFI guidelines). Condition to require Invasive Species Invasive Species Eradication and Management Strategy for the site, to include monitoring post completion of works.	Projects occurring in the area of the site are summarised Table 3 NIS. These include solar farms granted within the same catchment (ABP-314058, 311760 and 312723). All development subject to screening for AA and Board decisions concluded no potential for adverse effects on European sites. Subject to strict implementation of mitigation measures, proposed development will not result in adverse impact on European sites. No potential therefore for cumulative effects.	Yes

		Disturbance scoped out.			
Overall conclusion: Integrity Test. Following the implementation of mitigation measures as proposed by the applicant and as supplemented by the additional measures referred to above, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects					

10.9. In Tables AA2 and AA3 above, I assess the likelihood of significant effects on the River Boyne and River Blackwater SAC and SPA. For the reasons stated I am satisfied that following the implementation of mitigation measures as proposed by the applicant and as supplemented by the additional measures referred to above, the construction and operation of this proposed development will not adversely affect the integrity of the European sites.

10.10. **Issues Raised**

10.11. The PA in their observations on the proposed development raised the following issues, screening the European sites associated with the River Tolka, absence of mitigation measures in the NIS, large drainage ditches in the vicinity of the site and cumulative effects with Woodtown Solar Farm.

10.12. As indicated above, I have screened out the potential for significant effects on the European sites associated with the River Tolka given the modest scale of works proposed within the catchment and the significant distance of the development from the nearest European site (>30km).

10.13. In section 5, the NIS states that during construction industry standard good practice measures will be implemented to prevent pollution of terrestrial and aquatic habitats, such that no pollutants will enter the watercourse. These measures are not identified in the NIS, however, as indicated in Tables AA2 and AA3 above, they are set out in section 4.4 of the outline CEMP and Table 7 of the EclA. These include pollution control measures for the use of concrete and lime, soil handling, fuel and chemical handling, sedimentation (including identification of drainage channels and streams, diversion of rainwater away from construction areas, use of silt traps to avoid siltation of watercourses and dust controls). An Appendix to the outline CEMP also provides for a construction, erosion, and sediment control plan to be completed by the appointed contractor. This would further reduce the potential for pollution of nearby surface waterbodies.

10.14. The proposed development is removed from streams identified by the EPA under the WFD, and these have been referred to by the applicant. However, as indicated in this report large drainage ditches are present alongside the proposed passing bays and along part of the internal access road. These are also indicated on OS base mapping. There is potential for greater connectivity with a larger number of waterbodies than those indicated in the NIS. Notwithstanding this, the proposed

measures comprise standard good practices and which have been demonstrated to be effective at reducing sediment and pollution from construction sites to acceptable levels. Further, I am proposing an additional condition which requires all works to adhere to IFI guidelines for construction works in vicinity to watercourses. I am satisfied, therefore that with the implementation of these measures, and with regard to the distance of the development from the River Boyne and River Blackwater SAC or SPA, there is no real potential for significant effects on water quality in the European sites or in the intervening waterbodies which have potential to host mobile species.

10.15. The substation site and a number of the proposed passing bays lies within a sub-catchment of the River Boyne (Boyne_SC_060) with potential for effects on the associated downstream European sites i.e., the River Boyne and River Blackwater SAC and SPA. The potential for cumulative effects on the European sites is therefore greatest for other projects taking place within the same sub-catchment. In this instance, planned development in the sub-catchment comprises solar farms permitted by the Board under references ABP 312723, 311760 and 314058. Each development has included as appropriate, screening for AA and AA. In each instance the Board has been satisfied that the developments, with implementation of mitigation measures, will not give rise to cumulative effects on European sites, including for ABP-314058 Woodtown Solar Farm which surrounds the development site. Similarly, with the implementation of the proposed mitigation measures for the proposed development, I am satisfied that the proposed development would not adversely affect the integrity of the River Boyne and River Blackwater SAC or SPA as a consequence of cumulative effects. This includes for a scenario where the subject development and Woodtown Solar Farm are built concurrently, as all mitigation measures would apply to both developments.

10.16. Appropriate Assessment Conclusion

10.16.1. The subject development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the River Boyne and River Blackwater SAC (site code 002299) and River Boyne and River Blackwater SPA (site code 004232) European sites. Consequently, an Appropriate Assessment

was required of the implications of the project on the qualifying features of those sites in light of its/their conservation objectives.

10.16.2. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites (nos. 002299 and 004232) or any other European site, in view of the site's Conservation Objectives. This conclusion is based:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures in relation to the Conservation Objectives of the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.
- Detailed assessment of in combination effects with other plans and projects in the area of the site, and notably within the same sub-catchment.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.

11.0 Recommendation

11.1. Having regard to the foregoing, I recommend that permission for the proposed development be granted, subject to conditions, for the following reasons and considerations.

12.0 Reasons and Considerations

12.1. 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 surrounding area,
- c) the national targets for renewable energy,
- d) European, national, regional and county level support for renewable energy development such as:
 - Climate Action Plan, 2024

- Project Ireland 2040 National Planning Framework,
 - Northern and Western Regional Spatial and Economic Strategy (RSES) 2020-2032.
 - Meath County Development Plan, 2021-2027,
- e) the documentation submitted with the application, including the Environmental Considerations Report, Natura Impact Statement, and accompanying reports including the outline Construction Environmental Management Plan,
 - f) the contained nature of the landscape and absence of any specific conservation or amenity designation for the site,
 - g) the planning history of the immediate area including proximity to the permitted solar farm (ABP. Ref. 314058),
 - h) the distance to dwellings or other sensitive receptors from the proposed development,
 - i) the submissions on file including those from third parties, prescribed bodies and the Planning Authority,
 - j) mitigation measures proposed for construction and operation of the site,
 - k) the report of the Inspector.

12.2. Appropriate Assessment - Stage 1

- 12.2.1. The Board considered the Natura Impact Statement and all the other relevant submissions and carried out both an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the European sites in respect of which the proposed development has the potential to have a significant effect are the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA.

12.3. Appropriate Assessment – Stage 2

- 12.3.1. The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Board completed an

appropriate assessment of the implications of the proposed development for the European Sites, River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA, in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- (i) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (ii) the mitigation measures which are included as part of the current proposal, and
- (iii) the conservation objectives for the European Sites.

12.3.2. In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives.

12.3.3. In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of these European Sites, in view of their Conservation Objectives.

12.4. **Proper Planning and Sustainable Development**

12.4.1. 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.

13.0 **Conditions**

1.	The 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.
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	<p>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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) All of the environmental, construction and ecological mitigation and monitoring measures set out in the Environmental Considerations Report, Ecological Impact Assessment (including Table 7, section 4.6 and section 5) and the Natura Impact Statement, and other particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.</p> <p>(b) Prior to the commencement of development that applicant shall submit a schedule of all mitigation measures to the planning authority in a single document.</p> <p>Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.</p>
3.	<p>The period during which the development may be carried out shall be 10 years from the date of this Order.</p> <p>Reason: In the interest of clarity and having regard to the sale and nature of the proposed development.</p>
4.	<p>(a) Water supply and drainage arrangements, including the attenuation and 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.</p> <p>(d) All works in the vicinity of watercourses shall be in accordance with the recommendations in Inland Fisheries Ireland's Guidance Document on Protection of Fisheries during Construction Works in and adjacent to Waters, 2016, and shall be referred to in the Construction and</p>

	<p>Environmental Management Plan (CEMP) and shall be supervised by an Ecological Clerk of Works and Project Hydrologist.</p> <p>(c) The developer shall liaise with Irish Water in respect of connecting to the public water supply.</p> <p>(d) Surface water from the site shall not be permitted to drain onto the adjoining public road or adjoining properties.</p> <p>Reason: In the interest of environmental protection and public health.</p>
5.	<p>Prior to the commencement of development, the developer shall comply with the transportation requirements of the planning authority for such works and services as appropriate. Such requirements shall require provision of a detailed Traffic Management Plan and shall include the following details:</p> <ul style="list-style-type: none"> (a) Consultation with TII and all private and public companies and road authorities. (b) Details of haulage routes, control measures for abnormally sized vehicles and an Abnormal Load Assessment. (c) A road condition survey of roads and bridges along the haul route to be carried out at the developer's expense and to the satisfaction of the planning authority. (d) Detailed arrangements for construction damage to be made good by the developer to the satisfaction of the planning authority (to include the L-62051). (e) Detailed arrangements for temporary traffic management/controls, to include arrangements for the safe operation of the junction of the R125 and L-62051, and protocols to keep residents informed, (f) Construction Route Signage, (g) Road Opening Licences that will be required,

	<p>(h) Arrangements for the phasing of the development and any concurrent or sequential phase of the Woodtown Solar Farm or cabling in the public road to connect solar farms to the sub-station.</p> <p>(i) Detailed design of the site entrance onto the L-62051, with provision of sightlines to the satisfaction of the planning authority and recessed entrance gate.</p> <p>Reason: In the interest of traffic and pedestrian safety.</p>
6.	<p>Prior to the commencement of development, details of CCTV cameras shall be submitted to the planning authority for written agreement. These shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.</p> <p>Reason: In the interest of clarity, of visual and residential amenity.</p>
7.	<p>Prior to the commencement of development, the following details shall be submitted to the planning authority for written agreement:</p> <ul style="list-style-type: none"> (a) Measures to identify and protect root zones of trees and hedgerows in the vicinity of the development site (substation, internal access road, junction with L-62051 and passing bays) and, in the event of damage, measures to restore trees and hedgerows in the vicinity of the development site, (b) Detailed arrangements for landscaping/tree/hedgerow planting in the location of the junction with the L-62051, passing bays and in the vicinity of historic monuments, post construction, (c) Detailed arrangements for the revegetation of the indicted native meadow plant mix area (Drawing no. 60657534-ACM-DWG-CM-528 Visual Mitigation and Biodiversity Enhancement Plan) by natural revegetation or seeding of native species collected locally, and (d) Detailed arrangements for the enhancement and strengthening of hedgerows to the west and southwest of the substation site. <p>The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed</p>

	<p>development. All existing hedgerows shall be retained. The landscaping and screening shall be maintained at regular intervals. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those original required to be planted.</p> <p>Reason: In the interest of clarity, biodiversity, visual and residential amenity and screening of the development.</p>
8.	<p>The developer shall comply with the following requirements:</p> <p>(a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.</p> <p>(c) Cables within the site shall be located underground.</p> <p>(d) External finishes to fencing, gates and exposed metalwork (non-galvanised/subject to EirGrid requirements), roof and external walls of substation, shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of clarity, of visual and residential amenity.</p>
9.	<p>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 Construction Methodology submitted with the application. The CEMP shall incorporate the following:</p> <p>(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. This shall address any concurrent construction phase of Woodtown Solar Farm.</p> <p>(b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;</p>

	<p>(c) an Invasive Species Eradication and Management Strategy for the site, to include monitoring post completion of works;</p> <p>(d) an emergency response plan;</p> <p>(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, and</p> <p>(f) an outline strategy for any future decommissioning phase, to include means to protect and enhance biodiversity.</p> <p>Reason: In the interest of environmental protection and orderly development.</p>
10.	<p>The site development and construction works shall be carried out such a manner as to ensure that the adjoining public 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 daily basis.</p> <p>Reason: To protect the residential amenities of property in the vicinity.</p>
11.	<p>The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/ site clearance/dredging/underwater works and/or construction works.</p> <p>The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation</p>

	<p>with the National Monuments Service, shall be complied with by the developer.</p> <p>No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.</p> <p>The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.</p>
12	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure satisfactory reinstatement of the site.</p>
13	<p>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 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</p>

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

Deirdre MacGabhann
Planning Inspector

25th July 2024

EIA - Preliminary Examination

An Bord Pleanála EIA Case Reference	• 317498	
Development Summary	• 10-year permission for 220kV sub-station compound and associated works.	
Examination		
		Yes / No / Uncertain
1. Is the size or nature of the proposed development exceptional in the context of the existing environment?		No
2. Will the development result in the production of any significant waste, or result in significant emissions or pollutants?		No
3. Is the proposed development located on, in, adjoining or have the potential to impact on an ecologically sensitive site or location*?		No
4. Does the proposed development have the potential to affect other significant environmental sensitivities in the area?		No
Comment (if relevant) Potential effects on European sites can be addressed under appropriate assessment.		
Conclusion		
Based on a preliminary examination of the nature, size or location of the development, is there a real likelihood of significant effects on the environment **?		
There is no real likelihood of significant effects on the environment	EIAR not required	X
There is significant and realistic doubt in regard to the likelihood of significant effects on the environment	Screening Determination required	No
	Sch 7A information submitted?	No
There is a real likelihood of significant effects on the environment	EIAR is required (Issue notification)	No

Inspector _____

Date: _____

DP/ADP _____

Date: _____

* Sensitive locations or features include SAC/ SPA, NHA/ pNHA, Designated Nature Reserves, and any other ecological site which is the objective of a CDP/ LAP (including draft plans)

** Having regard to likely direct, indirect and cumulative effects