



An
Bord
Pleanála

Inspector's Report

ABP-318340-23

Development

10 year planning permission for a new 110kV substation to feed into the existing Drumline-Ennis 110kV overhead line circuit

Location

Within the townland of Coolshamroge, Ennis, Co. Clare.

Planning Authority

Clare County Council

Applicant(s)

Renewable Energy System Ltd.

Type of Application

Application under the provisions of Section 182A of the Planning and Development Act 2000, as amended

Prescribed bodies

Minister of Housing, Local Government and Heritage.

Minister for Environment, Climate and Communications.

Clare County Council.

Transport Infrastructure Ireland.

Fáilte Ireland

An Taisce

Heritage Council

Uisce Éireann (previously Irish Water)
Inland Fisheries Ireland
Commission of Regulation of Utilities,
Water and Energy
Health and Safety Authority

Date of Site Inspection

11th April 2024

Inspector

Rachel Gleave O'Connor

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Development	4
4.0 Submissions and Observations	6
5.0 Planning History.....	8
6.0 Legislative and Policy Context.....	9
6.1. National.....	9
6.2. Regional Planning Policy	11
6.3. Local Planning Policy	12
6.5. Natural Heritage Designations	14
6.6. Environmental Impact Assessment Considerations	15
7.0 Assessment.....	15
8.0 Appropriate Assessment.....	25
9.0 Conclusion.....	46
10.0 Recommendation	46
11.0 Reasons and Considerations	46
12.0 Conditions	49
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Introduction

- 1.1. An application has been made by Renewable Energy Systems (RES) Limited under the provisions of Section 182A of the Planning and Development Act 2000 (as amended), for a 10-year permission comprising construction of a 110/33kV substation and all associated works, on a c.1.53 hectare site in the townland of Coolshamroge, Ennis, Co. Clare. The proposed substation will feed into the existing Drumline-Ennis 110kV overhead line (OHL) circuit. The substation is to facilitate the Manusmore Solar Farm (PA Ref.20562), the Manusmore Solar Farm Extension (PA Ref.21915) and the Coolshamrock Solar Farm (PA Ref.22586).

2.0 Site Location and Description

- 2.1. The subject site is approximately 7km southeast of Ennis, 4.2km east of Clarecastle and 1.5km west of Quin, a small settlement.
- 2.2. The site itself comprises of 3 fields of relatively flat agricultural land over an area of c.1.53 hectares. The immediate bounds of the site are also formed of agricultural fields. There are a small group of existing agricultural structures and a residential dwelling situated further to the south of the site. The predominate character of the area is undeveloped, rural and agricultural greenfield in character, with some ribbon residential dwellings situated further to the southeast of the site on the local road (L7196) that runs to the south of the site and where access is proposed from.
- 2.3. Surrounding the site and overlapping the agricultural fields within which the subject site is located, is the location of approved solar farm planning ref.22/586.

3.0 Proposed Development

- 3.1. The proposed development will comprise the following:
- A 110/33kV substation consisting of 2no. control building, a transformer compound, a high voltage (HV) switchgear compound, a customer MV compound and associated cabling. The control buildings will consist of foundation works, block works, roofing, low voltage electrical fit out, medium voltage switchgear cladding and building finishing works.

- 2no. underground 110kV cables, a cable access track and 2no. overhead line towers.
- A power transformer, HV electrical equipment (4 bays), overhead line gantry, lightning protection masts, communication mast, structural steel works, circuit breakers, current transformers, voltage transformers, busbars surge arresters, cable sealing ends, disconnectors/earth switches, surge arrestors, and post insulators will be installed in the Eirgrid HV Substation Compound.
- The Customer MV Compound will consist of 2no. capacitor banks, 1no. reactor banks and associated circuit breakers (capacitor and reactor), 1no. harmonic filter, resistor, pre-insertion resistor and 1no. auxiliary transformer.
- Palisade and concrete post and rail fencing will be erected around the compound for security/protection.

3.2. The proposed 110kV substation is intended to facilitate the Manusmore Solar Farm (PA Ref.20562), the Manusmore Solar Farm Extension (PA Ref.21915) and the Coolshamrock Solar Farm (PA Ref.22586). There is cable access which branches from the Collshamrock consent solar tracks (PA Ref.22586) to provide access to the cables and towers. The method of connection not the national grid for the proposed substation will be a looped connection into the existing Drumline – Ennis 110kV circuit and 2no. new overhead line (OHL) end towers are proposed to facilitate connection to the existing OHL.

3.3. **Documentation Submitted with the Planning Application**

3.4. The application was accompanied by the following documents:

- Planning Application and Technical Drawings.
- Planning Statement.
- Natura Impact Statement.
- Technical Appendices:
 - 1. Landscape and Visual Impact Assessment (LVIA);
 - 2. Ecological Impact Assessment (EclA);

- 3. Archaeology and Architectural Heritage Impact Assessment (AAHIA);
- 4. Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA);
- 5. Construction Traffic Management Plan (CTMP);
- 6. Outline Construction and Environmental Management Plan (CEMP);
and
- 7. Assessment of Acoustic Impact.

4.0 Submissions and Observations

4.1. Local Authority

- 4.1.1. Clare County Council submitted their Planning Departments Submission on the Planning Application dated 14th December 2023. In summary, the Local Authority raises no objection in principle to the proposed development, noting the extent of permitted solar farms that it would serve. Points of note are summarised below:

4.1.2. Planning Report

- Under the Clare County Development Plan 2023-229, the site is designated as being in a rural area outside of any settlement that is designated as a working landscape.
- It is noted that the subject site is outside the direct footprint of any European site but within 1.31km of the Lower River Shannon SAC and the River Shannon and Fergus Estuaries SPA and therefore there is potential for indirect effect via hydrological connectivity via the Manusmore Stream.
- The Board should be aware that as part of the Solar Farm application associated with the site a Biodiversity Management Plan was prepared with a key objective to create and maintain species-rich hedgerows together with enhancement of existing hedgerows and species management. Cognisance and compliance with this plan and grant of permission is required.
- There are numerous recorded monuments in the vicinity of the site, but none within the site area. Recommend that similar archaeological monitoring of the

proposed development take place as has been provided for by way of planning condition on the grant of consent for a solar energy development under ref.22/586.

- No drainage or flood risk concerns raised.
- The construction of the associated Solar Farm in conjunction with the proposed substation poses a risk in terms of visual impacts and impacts on the landscape. The development by its nature is utilitarian in design and requires careful consideration in terms of its siting. A robust assessment is required of visual impacts in light of county publications 'Incorporating Landscape Features into Development, County Clare Guidelines', 'Landscape Character assessment of County Clare, 2004' amongst others.
- The new access point to the site was designed and included within the application for planning permission under 22/586 for the adjacent solar farm.
- Several of Roads and Traffic planning conditions as applied to the grant of permission 22/586 are also applicable to the proposed substation and consideration should be given to including these conditions in any grant of permission for the substation.
- The overall volumes of additional traffic during construction phase are quite low.
- A Planning Condition relating to the carrying out of pre and post construction surveys of the condition of the road 200m either side of the access point to the site is appropriate, as was included as condition 5 of the 22/586. All mitigation measures as provided at section 5.87 of the Construction Traffic Management Plan should be secured by condition.
- The cumulative and in-combination effect of both the proposed substation and the approved solar farm need to be carefully considered with respect to carrying capacity of the area. Carrying capacity of the drainage network should be considered. The installation of proposed cables will necessitate excavation of soil which may lead to impacts on the associated drainage channels and should be considered by the Board. The proposal should align with the CEMP for the solar farm.

- Overall, on the basis that the proposal is to serve permitted solar farm projects, the Planning Authority would not object in principle to this development, noting also national policy in respect of the delivery of renewable developments.
- Development contributions should accord with the Development Contributions Scheme currently in place, with the entirety of the floor space of the proposed development subject to a development contributions rate of €18.00 per sqm.

4.1.3. Internal Departmental Consultees

4.1.4. None received.

4.1.5. Applicant response to Local Authority Reports

4.1.6. None received.

4.2. **Prescribed Bodies**

4.2.1. None received.

4.3. **Observers**

4.3.1. None received.

5.0 **Planning History**

5.1. Subject site:

5.2. Reg. Ref. 93129 Planning permission granted on 15th April 1993 for a 110kV overhead line from Drumline 110kV station to Ennis 110kV station.

5.3. Reg. Ref. 22586 Planning permission granted on 9th March 2023 for a period of 10 years, for a Solar PV Energy development with a total site area of 27.34 hectares, to include inverter station modules, solar PV panels ground mounted on support structures, internal access tracks, security fencing, electrical cabling and ducting, CCTV and other ancillary infrastructure, drainage, additional landscaping and habitat enhancement as required and associated site development works including works relating to the access to the site. The solar farm would be operational for 35 years.

5.4. Planning History of the 2 other solar farms that will be served by the proposed 110kV substation:

- 5.5. Manusmore Clarecastle Co. Clare, Reg. Ref. 20562, planning permission granted for a period of 5 years on 12th October 2023 for a Solar PV Energy development with a total site area of 99.2 hectares, to include a single storey electrical substation building and associated works.
- 5.6. Manusmore and Carrownanelly Clarecastle Co. Clare, Reg. Ref. 21915, planning permission granted for a period of 5 years on 21st October 2021 for a Solar PV Energy development with a total site area of 16.08 hectares, and associated works.

6.0 Legislative and Policy Context

6.1. National

- 6.1.1. The National Planning Framework – Project Ireland 2040
- 6.1.2. The National Planning Framework 2018-2040 (NPF) sets ten strategic outcomes. Strategic Outcome 8 is the Transition to a Low Carbon and Climate resilient society. The NPF states that the future planning and development of our communities at local level will be refocused to tackle Ireland’s higher than average carbon-intensity per capita and enable a national transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050 through harnessing our country’s prodigious renewable energy potential (pg.12). Chapter 9 ‘Environmental and Sustainability Goals’ addresses renewable energy.
- 6.1.3. National Policy Objective 55 seeks to “Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”
- 6.1.4. National Development Plan 2021-2030
- 6.1.5. The National Development Plan 2021-2030 (NDP) sets out Governments investment strategy and budget up to 2030. Chapter 13 ‘Transition to Climate-Neutral and Climate-Resilient Society’ identifies renewable energy as a strategic investment priority. Page 123 also includes the following within Strategic Investment Priorities: SOE Investment:

“Significant expansion and strengthening of the electricity transmission and distribution grid onshore and offshore, including transmission cables and

substations, to link renewable electricity generation to electricity consumers and to accommodate higher levels of renewables on the electricity system and reinforcement of the natural gas network by our system operators EirGrid, ESB Networks and Gas Networks Ireland”.

6.1.6. The Climate Action and Low Carbon Development (Amendment) Act 2021

6.1.7. The Climate Action and Low Carbon Development (Amendment) Act 2021 (Climate Act, 2021), commits Ireland to a legally binding 51% reduction in overall greenhouse gas emissions by 2030 and to achieving net zero emissions by 2050. Under section 17 ‘Amendment of section 15 of the Principal Act’ the Board as a relevant body shall, in so far as practicable, perform its functions in a manner that is consistent with the most recent approved climate action plan, most recent approved national long term climate action strategy, national adaptation framework, sectoral plans, furtherance of the national climate objective and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

6.1.8. Climate Action Plan 2023

6.1.1. The Climate Action Plan 2023 is prepared in accordance with the Climate Action and Low Carbon Development (Amendment) Act 2021 and follows the introduction of economy-wide carbon budgets and sectoral emissions ceilings. The plan implements the carbon budgets and sectoral emissions ceilings and sets out a roadmap for taking decisive action to halve Ireland’s emissions by 2030 and reach net zero no later than 2050, as committed to in the Programme for Government. The Plan outlines targets for solar energy production and acknowledges that in order to meet the required targets it will be necessary to build supporting infrastructure.

6.1.2. Government Policy Statement on Security of Electricity Supply, Nov. 2021

6.1.3. This policy statement notes that electricity is vital for the proper functioning of society and the economy. The statement lists challenges to ensuring security of electricity supply, including:

- Ensuring adequate electricity generation capacity, storage, grid infrastructure, interconnection and system services are put in place to meet demand – including at periods of peak demand; and

- Developing grid infrastructure and operating the electricity system in a safe and reliable manner.

6.1.4. Page 5 of the policy statement notes the Government has approved *“that it is appropriate for additional electricity transmission and distribution grid infrastructure, electricity interconnection and electricity storage to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply”*.

6.1.5. Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure

6.1.6. This statement notes the strategic importance of investment in networks and energy infrastructure, with such development expected to take account of all relevant standards.

6.1.7. Framework and Principles for Protection of Archaeological Heritage, 1999

6.1.8. This document was prepared by the Department of Arts, Heritage, Gaeltacht and the Islands and sets out the basic principles of national policy on the protection of the archaeological heritage. Section 3.0 notes that: - archaeological heritage is a non-renewable resource; the first option should be a presumption in favour of avoidance of developmental impacts and that preservation in-situ is the preferred option; if removal cannot be avoided, preservation by record should be applied; carrying out an archaeological assessment where appropriate is the first step in ensuring that preservation in-situ and by record take place; and monitoring is another method of ensuring that preservation takes place.

6.1.9. Flood Risk Management Guidelines

6.1.10. These Guidelines seek to avoid inappropriate development in areas at risk of flooding and avoid new developments increasing flood risk elsewhere and they advocate a sequential approach to risk assessment and a justification test.

6.2. **Regional Planning Policy**

6.2.1. Regional Spatial & Economic Strategy (RSES) for the Southern Region

6.2.2. The RSES provides the framework through which the NPF’s disruptive vision and the related Government policies and objectives will be delivered for the Region. It sets

out a strategic profile and vision for the region. The RSES outlines Regional Policy Objectives (RPOs), including the following of note; RPO 95 identifies the objective of implementation of the national renewable energy action plan as well as leveraging the region as a lead and innovator in sustainable energy generation. RPO 96 states it is an objective to support the sustainable development, maintenance and upgrading of the electricity grid infrastructure and to integrate renewable energy sources. RPO 219 also states that it is an objective to support the provision of new energy infrastructure subject to suitable environmental assessments and the planning process to ensure the energy needs of the future population and economic expansion are met in a sustainable manner. Section 8.2 also outlines support for the development of a safe, secure, and reliable system of transmission and distribution of electricity.

6.3. Local Planning Policy

6.4. Clare County Council Development Plan 2023-2029

- 6.4.1. The following relevant sections and policies/objectives under the Development Plan are noted (not an exhaustive list):
- 6.4.2. The site is zoned as a Rural Area Under Strong Urban Influence under Map 7, Volume 2 Maps, of the Clare County Development Plan 2023-2029. The site is outside of any designated settlement areas.
- 6.4.3. CDP2.1 Climate Action – support implementation of the National Climate Action Plan 2023 and the National Climate Change Adaptation Framework.
- 6.4.4. CDP2.2 Climate Change Mitigation, Adaption and Resilience.
- 6.4.5. CDP2.6 Flood Risk Assessment and Management.
- 6.4.6. CDP2.14 Transition to a Low Carbon Economy and Society – facilitate the development of energy sources which will achieve low carbon output.
- 6.4.7. CDP2.18 Solar Energy – facilitate and support the development of solar farms in appropriate locations.
- 6.4.8. CDP 3.3 Appropriate Assessment, Strategic Environmental Assessment and Strategic Flood Risk Assessment.

- 6.4.9. CDP6.17 Energy Supply – enabling self-sustaining, secure, reliable and efficient renewable energy supply and storage.
- 6.4.10. CDP6.18 Green Technology.
- 6.4.11. CDP 11.45 Electricity Networks – encourage the expansion of infrastructure, facilitate future alternative renewable energy developments and associated utility infrastructure, to have regard to the environmental and visual considerations in the assessment of developments of this nature.
- 6.4.12. CDP 11.47 Renewable Energy – encourage and favourably consider proposals for renewable energy developments, strike a balance between facilitating renewable energy development and protecting the residential amenities of neighbouring properties.
- 6.4.13. CDP 11.48 Renewable Energy Strategy.
- 6.4.14. The site is c.3km away in a direct measurement from the M18 and therefore falls under the Western Corridor Working Landscape as defined under the Plan. CDP14.3 Western Corridor Working Landscape – permit development that will sustain economic activity, enhance social well-being and quality of life, avoid intrusions on scenic routes, avoid visual prominence and reduce visual impact.
- 6.4.15. CDP15.1 Biodiversity – to ensure features of importance to local biodiversity are retained as part of development.
- 6.4.16. CDP15.2 Natural Heritage, Biodiversity and Built Heritage Assets.
- 6.4.17. CDP15.3 European Sites.
- 6.4.18. CDP15.4 Requirement for Appropriate Assessment.
- 6.4.19. CDP15.10 Environmental Impact Assessment.
- 6.4.20. CDP15.21 Biodiversity and Habitat Protection.
- 6.4.21. CDP15.19 Woodlands, Trees and Hedgerows – protect trees important for environmental, biodiversity reasons.
- 6.4.22. CDP16.8 Sites, Features and Objects of Archaeological Interest – safeguard, preserve and have regard to recommendations of the Department of the Culture, Heritage and the Gaeltacht.

6.4.23. CDP16.10 Zones of Archaeological Potential.

6.5. Natural Heritage Designations

6.5.1. The site of the proposed development does not overlap with any natural heritage designations. The following Special Protection Areas (SPA), Special Conservation Areas (SAC) and Natural Heritage Areas / proposed Natural Heritage Areas (NHA/pNHA) are most proximate to the site with approximate distance indicated in brackets:

- River Shannon and River Fergus Estuaries SPA (2.95km);
- Ballyallia Lough SPA (8.01km);
- Slieve Aughty Mountains SPA (8.31km);
- Lower River Shannon SAC (2.05km);
- Old Domestic Building (Keevagh) SAC (1.5km);
- Poulmagordon Cave (Quin) SAC (2.41km);
- Lough Gash Turlough SAC (6.07km);
- Ballyallia Lake SAC (7.11km);
- Newhall and Edenvale Complex SAC (7.13km);
- Newgrove House SAC (7.36km);
- Old Domestic Buildings, Rylane SAC (8.6km);
- Kilkishen House SAC (9.09km);
- Pouladatig Cave SAC (9.45km);
- Ratty River Cave SAC (9.89km);
- Dromore Woods and Loughs SAC (10.5km);
- Knockanira House SAC (11.31km);
- Toonagh Estate SAC (11.82km);
- Danes Hole, Poulmalecka SAC (13.18km);
- Old Farm Buildings, Ballymacrogan SAC (14.08km);

- Moyree River System SAC (14.44km); and
- Ballycullinan, Old Domestic Building SAC (14.89km).

6.5.2. An Appropriate Assessment of the proposed development has been carried out in Section 8 of this report below in relation to potential impacts on designated European sites.

6.6. Environmental Impact Assessment Considerations

- 6.6.1. The requirements for Environmental Impact Assessment (EIA) are outlined in Part X of the Planning and Development Act 2000 (as amended) and Part 10 of the Planning and Development Regulations 2001, as amended. Schedule 5 of the Regulations sets out the various classes and thresholds of development which require mandatory EIA. Part 1 of Schedule 5 lists projects for which mandatory EIA is required on the basis of their type while Part 2 of the same schedule lists projects on the basis of their relevant scale/size threshold that requires EIA.
- 6.6.2. There are no classes of development within Schedule 5 of the Regulations, that are applicable to the proposed development.
- 6.6.3. The proposed development which constitutes the provision of an electrical substation and which forms part of a larger renewable energy development (Solar Farm) at this location, does not fall into a class of development contained in Schedule 5, Parts 1 or 2. Class 15 of the Schedule 5 states that EIA can be required in the case of a development listed in Part 2 that does not exceed a limit specified if it is considered that it that would be likely to have significant effects on the environment having regard to the criteria set out in Schedule 7 of the Regulations (Sub-threshold EIA). As the proposed development is not of a class listed there is no threshold for EIA and accordingly a subthreshold EIA is not applicable.

7.0 Assessment

- 7.1. It should be noted that while the proposed development forms part of a wider solar farm project, this assessment concerns the proposed substation compound / structures and associated infrastructure, alongside consideration of any cumulative impacts arising from the approved solar farm (ref. 22586). Therefore, while the

application concern's the proposed substation and associated infrastructure only, the wider solar farm project will be referred to at times throughout this assessment.

7.2. I will address the main planning issues arising from the proposed development under the following headings:-

- Principle of development
- Design, layout and visual impact
- Residential amenity
- Movement and access
- Archaeology
- Water, drainage and flood risk
- Biodiversity
- Other issues

7.3. **Principle of development**

- 7.3.1. The Local Authority raises no objection to the principle of the proposed development for a 110kV substation and associated works on the site, which would be ancillary to the operation of a solar farm recently granted permission by Clare County Council (ref. 22586). There were also no responses from prescribed bodies or any third parties.
- 7.3.2. National, regional and local planning policy all support the provision of renewable energy development and associated electricity infrastructure to support transmission and distribution of this energy via national grid. The subject site is zoned Rural Areas Under Strong Urban Influence where there is pressure with respect to housing development, however the proposed development relates to energy generation. The principle of a 110kV substation and ancillary infrastructure on the site to support the approved solar farm, is therefore in accordance with the overarching planning policy framework, and particularly Objective 55 in the NPF, and objectives CDP2.1 Climate Action, CDP2.18 Solar Energy, CDP6.17 Energy Supply, and CDP 11.45 Electricity Networks of the Clare County Council Development Plan 2023-2029.

- 7.3.3. The applicant has sought a period of ten-years to implement any grant of planning permission in this case. Having regard to the nature of the proposed development which is linked to the provision of an approved solar farm development (ref. 22586), which is itself is subject to a 10 year permission, I consider a 10 year consent acceptable and appropriate to facilitate consistency in consideration of the approved solar farm development.

7.4. Design, layout and visual impact

- 7.4.1. The Local Authority stated in their submission on the application, that in combination with the approved solar farm on the wider site area, the proposed substation poses a risk in terms of visual impacts and impacts on the landscape and that a robust assessment is required of visual impacts.
- 7.4.2. The Local Authority refers to two guidance documents for the County. The first is 'Incorporating Landscape Features into Development, County Clare Guidelines', which outlines guidance on the appropriate siting of proposed development with a focus on the retention of landscape features, such as treelines and hedgerows. The second is the 'Landscape Character assessment of County Clare, 2004'. The subject site is situated within the 'Low Drumlin Farmland' area, where the character description includes that hedgerows and trees add a sense of enclosure limiting views and that loss of hedgerows is noted as a 'force for change'. The site is part of the LCA 13 Ennis Drumlin Farmlands landscape character area where the principles for landscape management include that development should be screened appropriately and hedgerows and stone wall should be maintained.
- 7.4.3. The proposed development is formed of a substation compound approximately 94.75m x 134.75m (12,767.56sqm) and primarily formed of a crushed aggregate surface. The main buildings proposed are a 14m x 10m IPP Building (formed of 2no. control buildings) and 25m x 18m Eirgrid Building (including control building, power transformer, HV electrical equipment, lightning protection masts, communication masts and cabling). There are also two new overhead line towers proposed which will be required to tie into the existing Drumline – Ennis 110kV overhead line. Surrounding the development, a 2.65m palisade fence is proposed. Surrounding the proposed development is the area for the consented solar farm development, and

the construction compound for that approved development (Reg. Ref. 22586) would be utilised by the proposed substation.

- 7.4.4. The planning submission confirms that the proposed development has been designed to minimise disturbance to existing drystone walls, field boundaries, hedgerows and trees, which will be largely retained (pages 25-26 Planning Statement). The proposed substation is also sited to minimise visibility, with screening provided by variations in topography across the area and the retention of hedgerows and treelines. As such, the proposed development responds positively to the County guideline documents referenced above.
- 7.4.5. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. The assessment considers the landscape, ecological, archaeological and heritage designations relevant to the site. Representative photo viewpoints have been used to illustrate the change that would result to the landscape as a result of the proposed development taken from 11 locations in the surrounding area++. The LVIA concludes that the proposal will result in localised minor adverse effects with respect to landscape and visual impact, with an overall minor adverse cumulative visual effect when considered alongside the approved solar farm on the wider site area. The LVIA highlights mitigation proposed under the approved solar farm development (Reg. Ref. 22586) which comprises hedgerow boundary planting and will further enclose the proposed infrastructure and reduce its visibility over time. Following the removal of the proposed above ground structure at the end of its operational life, hedgerow planting will be established (5-10 years) and residual minor beneficial effect upon landscape character is anticipated due to the enhancement of field boundaries.
- 7.4.6. The proposed development will be situated within the confines of 3 agricultural field boundaries and alongside approved associated energy infrastructure. Visibility of the proposal will be confined to a small number of residents situated further away from the site, but with upper views from houses, as well as recreational and road users of the area. However, the topographical variations across the surrounds and retention of field boundaries provide screening with hedgerows and treelines, which will be further enhanced through additional mitigation planting under the associated approved solar farm development. I note that the submitted LVIA has fully considered the Clare County Landscape Character Assessment and the sites

location with LCA 13, as well as proximity to adjoining landscape character areas. There are no sensitive landscape designations applicable to the site. I have reviewed the submitted verified views and am satisfied with the proposed conclusions of the LVIA.

- 7.4.7. As a result of the foregoing and informed by my inspection of the site and surrounding area, I am satisfied, that in the absence of any sensitive landscape or scenic designations, and in light of the scale, form and visibility of the proposed development in an area already visually characterised by intermittent electrical infrastructural structures; the proposed development would not have an adverse impact on landscape or visual amenities of the area. I am also satisfied that the cumulative impact of the proposed development alongside the approved solar farm and in-combination with permitted energy infrastructure in the wider area, would not be significant.

7.5. Residential amenity

- 7.5.1. No concerns have been raised by either the Local Planning Authority with respect to residential amenities and there are no responses from prescribed bodies or third parties. The application was accompanied by environmental reports that described and examined potential impacts on the receiving environment, including with respect to construction, traffic and landscape effects. There are no houses located in the immediate vicinity of the substation, and the substation compound with structures and associated infrastructure would be located in excess of 500m from the nearest neighbouring premises. There are neighbouring residential houses situated along the local road that would experience some disturbance during the proposed works in terms of construction traffic, noise and dust. However, impacts would be managed and mitigated by the measures as described in the submitted Outline Construction Environmental Management Plan (CEMP), and this mitigation can be secured through conditions requiring a final CEMP. Given the significant distance to the nearest surrounding residential dwellings, there are no long-term impacts anticipated during the operational phase.

7.6. Movement and access

- 7.6.1. The Planning Authority does not raise any concerns with respect to traffic movement or access associated with the proposed development. There are no responses from

prescribed bodies or third parties. The Planning Authority highlights that consistency is required between the proposed development and traffic related conditions attached to the approved solar farm development (Reg. Ref. 22586), including pre and post construction surveys of the condition of the road 200m either side of the access point.

- 7.6.2. The proposed access point for the development is reflective of arrangements set out for and approved as part of the solar farm development on the wider site area (Reg. Ref. 22586). The application includes a Construction Traffic Management Plan (CTMP) for the proposed development. This describes that the anticipated construction period for the proposed development would be around 4 months and construction traffic volumes associated with this would be quite low, with a peak daily estimated maximum of 20 daily HGV deliveries. Works to facilitate construction vehicle access to the site are described and approved as part of the solar farm development on the wider site area. The submitted CTMP is consistent with arrangements for the wider solar farm development and mitigation is described with respect to limitations on working times / HGV scheduling, site security / signage, and measures to control emissions of dust and other airborne contaminants.
- 7.6.3. With the application of mitigation as set out in the submitted CTMP and conditions that are consistent with the approved solar farm permission (Reg. Ref. 22586), I am satisfied that the proposed development would not give rise to excessive traffic generation along the road network during either the construction or operational phase. I am also satisfied that the proposed development, taken in combination with the permitted solar farm and other existing and permitted development in the surrounding area, would not give rise to a traffic hazard or endanger the safety of other road users during the construction and operational phases.

7.7. Archaeology

- 7.7.1. There are no recorded monuments or archaeological features on or very near to the subject site itself, however there are archaeological features and recorded monuments within 2km of the site. The Local Authority recommend in their submission on the application, that archaeological monitoring of the proposed development is consistent with the approved solar farm development under Reg. Ref.22586.

- 7.7.2. The application is accompanied by an Archaeology and Architectural Heritage Impact Assessment (AAHIA), which concludes that the proposed development will have a low to negligible indirect effect upon designated and non-designated assets in the surrounding area, with no direct effect to negligible residual effect upon archaeology and heritage assets within the application site. The assessment concludes that while in light of the site characteristics, no specific further pre-determination archaeological and heritage works are necessary, the proposal should be subject to the same evaluation by post-consent test trenching as recommended for the approved solar farm (Reg. Ref. 22586).
- 7.7.3. I am satisfied that with the application of mitigation as described in the submitted AAHIA and as recommended by the Local Authority, specifically being consistent with the approved solar farm, no negative impact is anticipated with respect to archaeology and heritage. This mitigation can be secured by conditions in the event that the Board determine to grant planning permission.

7.8. Water, drainage and flood risk

- 7.8.1. No submissions have been received from prescribed bodies or third parties with respect to water, drainage or flood risk. The Local Authority state in their submission that consideration is required of the carrying capacity of the drainage network and that excavation associated with the installation of proposed cables could impact upon drainage channels.
- 7.8.2. Technical Appendix 4 – Flood Risk Assessment and Drainage Impact Assessment is submitted with the application. In respect to flood risk, the subject site is not identified as being at risk of flooding from fluvial or coastal events and is situated in Flood Zone C. The submitted FRA also considers pluvial sources and risk of surface water flooding, and concludes that there are no indications or expectations of the same, specifically with reference to the topography of the site which slopes down to the watercourse. In relation to drainage, it is proposed to construct a network of rainwater harvesting tanks and a soakaway pit within the application site, with an underground piped system connecting the Eirgrid and IPP buildings to this drainage infrastructure. Additional drainage mitigation is described in the form of temporary swales or similar to be utilised to collect runoff from the proposed access tracks and

laydown area. The report concludes that the proposed development will not increase the risk of flooding on or around from the subject site.

- 7.8.3. I note the Local Authority comments with respect to potential impact upon the drainage network, however the submitted report states at paragraph 4.54 that:

“There are no field drains within the Application Site, the gradients will convey the surface water to the Manusmore Stream via the local network of field drains and drainage network outside the Application Site.”

- 7.8.4. The existing runoff rates from the subject site are set out in paragraph 4.90 of the submitted report. The submitted report is supported by flow calculations, watercourse maps and topographical survey. The intention of the proposed surface water drainage strategy for the proposed development is to ensure no increase in downstream flood risk by managing discharges from the subject site to the local water environment in a controlled manner. The design of the proposed SuDS takes account of exceedance events and monitoring / maintenance of the system is described. I am satisfied that the proposed development has appropriate accounted for the drainage requirements of the site and that the proposed drainage solution in the form of SuDS to manage and provide opportunity for runoff volume from the subject site.

7.9. Biodiversity

- 7.9.1. The application includes an Ecological Impact Assessment (EclA). There are no Natural Heritage Areas (NHAs) and five proposed Natural Heritage Areas (pNHAs) located within 5km of the subject site. In relation to Natura 2000 sites, an Appropriate Assessment is set out in section 8 of this report below.
- 7.9.2. The subject site itself is not situated within any designated site for nature conservation. Habitats present on and/or close to the subject site of note include Improved Agricultural Grassland (GA1), Treelines (WL2), Hedgerow (WL1) and Oak-Ash-Hazel Woodland (WN2). A field survey was undertaken of the subject site area, and found no signs or evidence of badger, otter, pine marten or any other protected terrestrial mammal species on the site. Records of brown rat and sika deer (considered to be invasive species) are present on the subject site. Habitats present on the site offer foraging opportunities for Bats (protected under wildlife legislation) and records of Red Squirrel and Hedgehog were identified on the site. The site does

not provide suitable habitat for smooth newt or common frog and is unlikely to support notable invertebrate species. No invasive plant species were observed on the site.

- 7.9.3. In relation to proximate pNHAs, the only potential link from the subject site is hydrological, and ornithological connectivity to The Fergus Estuary and Inner Shannon, North Shore pNHA. The EclA concludes that the Proposed Development will have no adverse effects on any of the features within the pNHA.
- 7.9.4. The main impact associated with construction of the proposed development relates to direct loss of habitat under the proposed development footprint and indirect loss of habitat due to disturbance and potential pollution. However, the primary habitat present on the subject site is improved agricultural grassland and arable land, which is considered to be of negligible value to nature conservation in the area. Habitat loss and disturbance as a result of the proposed construction works has the potential to impact mammals, including bats, badgers and otters, as well as bird and invertebrate species, should they be utilising the site and adjacent area. The potential for cumulative impact is also considered in the EclA, with particular regard to the approved solar farm development on the site.
- 7.9.5. In order to avoid potential impact upon bats, the proposed development has included a 5m buffer around trees and 20m buffer around the drainage ditch as part of the design. The majority of the subject site is comprised of improved agricultural grassland which is sub-optimal foraging habitat for bat species and therefore the proposed development will not lead to a significant reduction in foraging habitat for local bats.
- 7.9.6. While there was no evidence of badger or otter on the site, mitigation is set out in order to limit potential impact in the event that these mobile species are present. In relation to birds, due to the existing habitat characteristics of the subject site, it is considered of low ecological value and is subject to current disturbance from agricultural activities, alongside the short construction phase, no significant impact upon birds is anticipated. However, mitigation is set out below as a precautionary measure.
- 7.9.7. Mitigation is set out from page 50 of the submitted EclA. In relation to bats, while no mature trees are anticipated for removal, in the event that works are required such

as trimming or felling, the tree will be surveyed for potential bat roosts prior to any works commencing and in line with Bat Conservation Trust guidelines. A pre-construction badger survey is also intended to be undertaken. While the application site does not provide suitable habitat for otter, application of standard best practice measures with regard to pollution prevention will be implemented to prevent contamination of the aquatic environment. All excavations will be securely covered or closed off at the end of each working day to prevent accidental trapping of mammals, including badgers and otters, or alternatively a means of escape provided, with daily checks undertaken. Security fencing will have a gap of at least 10cm at the bottom to allow for free movement of mammals, including badgers and otters. With respect to birds, where works are to commence during the breeding season (March to August) bird surveys will be undertaken prior to the initiation of construction works, with measures to protect any nesting birds identified. With respect to invertebrate species, given the low extent of habitat for removal and the abundance of similar available habitat close to the subject site, no significant impact is anticipated.

7.9.8. With the application of the mitigation measures set out above, the EclA concludes that there will be no significant impact upon ecological features as a result of the proposed development including consideration of cumulative effects.

7.9.9. I am satisfied that with the application of the mitigation measures described, the proposed substation development would not have an adverse impact on biodiversity during construction, either alone or in-combination with other projects, particularly in consideration of the approved solar farm project over the wider site area. There would be no significant impacts during the operational phase.

7.10. Other matters

7.10.1. Noise and Vibration

7.10.2. There are no concerns noted by the Planning Authority or third parties. An Outline Construction Environmental Management Plan (CEMP) is included with the application. This addresses noise and vibration from paragraph 6.81 and describes mitigating measures to ensure minimisation and management of potential noise and vibration effect during construction of the proposed development. In light of the temporary and short-term character of construction related noise impact, I am

satisfied that impact arising from the proposed development will be within acceptable parameters.

7.10.3. Cumulative Impacts

The application is accompanied by supporting assessments that describe and examine potential impacts and in-combination effects on the receiving environment. The main nearby project relates to the recently permitted solar farm which would operate in conjunction with the proposed substation. Having regard to the nature, scale and location of surrounding projects, the proposed development, and in light of mitigation proposed as identified in this report, I am satisfied that no significant adverse cumulative effects will arise.

8.0 **Appropriate Assessment**

8.1. This section of the report considers the likely significant effects of the proposal on Natura 2000 European sites with each of the potential significant effects assessed in respect of each of the European sites considered to be at risk and the significance of same. The assessment is based on the submitted Appropriate Assessment Screening & Natura Impact Statement submitted with the application.

8.2. I have had regard to the submissions of third parties, prescribed bodies and the Planning Authority in relation to the potential impacts on European sites, as part of the Natura 2000 Network of sites.

8.3. The Project and Its Characteristics

8.4. See the detailed description of the proposed development in section 3.0 above.

8.5. The European Sites Likely to be Affected (Stage I Screening)

The subject site is situated in the townland of Coolshamroge, Ennis, Co. Clare and rural in character. The surrounding area comprises agricultural fields, greenfield areas and one-off dwellings with farmsteads concentrated along the local road to the south of the site. The subject site is situated within 3 agricultural fields with a relatively flat topography. Field boundaries for the wider site area comprise hedgerows and treelines typical for the area. The site itself is not situated within a European site, the closest Natura 2000 sites being circa 1.5km away at Old

Domestic Building (Keevagh) SAC and the Lower River Shannon SAC at 2.05km away.

- River Shannon and River Fergus Estuaries SPA (2.95km);
- Ballyallia Lough SPA (8.01km);
- Slieve Aughty Mountains SPA (8.31km);
- Lower River Shannon SAC (2.05km);
- Old Domestic Building (Keevagh) SAC (1.5km);
- Poulmagordon Cave (Quin) SAC (2.41km);
- Lough Gash Turlough SAC (6.07km);
- Ballyallia Lake SAC (7.11km);
- Newhall and Edenvale Complex SAC (7.13km);
- Newgrove House SAC (7.36km);
- Old Domestic Buildings, Rylane SAC (8.6km);
- Kilkishen House SAC (9.09km);
- Pouladatig Cave SAC (9.45km);
- Ratty River Cave SAC (9.89km);
- Dromore Woods and Loughs SAC (10.5km);
- Knockanira House SAC (11.31km);
- Toonagh Estate SAC (11.82km);
- Danes Hole, Poulnalecka SAC (13.18km);
- Old Farm Buildings, Ballymacrogan SAC (14.08km);
- Moyree River System SAC (14.44km); and
- Ballycullinan, Old Domestic Building SAC (14.89km).

8.6. The specific qualifying interests and conservation objectives of the above sites are described below. In carrying out my assessment I have had regard to the nature and scale of the project, the distance from the site to European sites, and any potential pathways which may exist from the development site to a European site, as well as the information on file and I have also visited the site.

8.7. The qualifying interests of all European sites considered are listed below:

Table 8.1: European Sites/Location and Qualifying Interests

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>River Shannon and River Fergus Estuaries SPA (004077)</p> <p>To maintain the favourable conservation condition of qualifying interests/species of conservation interest for which the SPA has been selected.</p>	<p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Whooper Swan (<i>Cygnus cygnus</i>) [A038]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Scaup (<i>Aythya marila</i>) [A062]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
	Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Greenshank (<i>Tringa nebularia</i>) [A164] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]
Ballyallia Lough SPA (004041) First objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. Second objective: To maintain or restore the favourable conservation condition of the wetland habitat at Ballyallia Lough SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.	Wigeon (<i>Anas penelope</i>) [A050] Gadwall (<i>Anas strepera</i>) [A051] Teal (<i>Anas crecca</i>) [A052] Mallard (<i>Anas platyrhynchos</i>) [A053] Shoveler (<i>Anas clypeata</i>) [A056] Coot (<i>Fulica atra</i>) [A125] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Wetland and Waterbirds [A999]
Slieve Aughty Mountains SPA (004168) To restore the favourable conservation condition of hen harrier and to maintain the favourable conservation condition of merlin, in the Slieve Aughty Mountains SPA.	Hen Harrier (<i>Circus cyaneus</i>) [A082] Merlin (<i>Falco columbarius</i>) [A098]
Lower River Shannon SAC (002165) To maintain or restore the favourable conservation condition of qualifying interests/species of conservation interest for which the SAC has been selected.	Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150]

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
	<p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>Old Domestic Building (Keevagh) SAC (002010)</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Old Domestic Building (Keevagh) SAC.</p>	<p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>Poulnagordon Cave (Quin) SAC (000064)</p> <p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (Rhinolophus hipposideros) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Poulnagordon Cave (Quin) SAC. See below for linked objective:</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Poulnagordon Cave (Quin) SAC.</p>	<p>Caves not open to the public [8310]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>Lough Gash Turlough SAC (000051)</p> <p>To maintain or restore the favourable conservation condition of qualifying interests/species of conservation interest for which the SAC has been selected.</p>	<p>Turloughs [3180]</p> <p>Rivers with muddy banks with Chenopodium rubri p.p. and Bidention p.p. vegetation [3270]</p>
<p>Ballyallia Lake SAC (000014)</p> <p>To maintain the favourable conservation condition of Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation in Ballyallia Lake SAC.</p>	<p>Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>Newhall and Edenvale Complex SAC (002091)</p> <p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (<i>Rhinolophus hipposideros</i>) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Newhall and Edenvale Complex SAC. See below for linked objective:</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Newhall and Edenvale Complex SAC.</p>	<p>Caves not open to the public [8310]</p> <p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Newgrove House SAC (002157)</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Newgrove House SAC.</p>	<p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Old Domestic Buildings, Rylane SAC (002314)</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Old Domestic Buildings, Rylane SAC.</p>	<p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Kilkishen House SAC (002319)</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Kilkishen House SAC.</p>	<p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Pouladatig Cave SAC (000037)</p>	<p>Caves not open to the public [8310]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (<i>Rhinolophus hipposideros</i>) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Pouladatig Cave SAC. See below for linked objective:</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Pouladatig Cave SAC.</p>	<p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Ratty River Cave SAC (002316)</p> <p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (<i>Rhinolophus hipposideros</i>) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Ratty River Cave SAC. See below for linked objective:</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Ratty River Cave SAC.</p>	<p>Caves not open to the public [8310]</p> <p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>
<p>Dromore Woods and Loughs SAC (000032)</p> <p>To maintain or restore the favourable conservation condition of qualifying interests/species of conservation interest for which the SAC has been selected.</p>	<p>Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Limestone pavements [8240]</p> <p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
	Lutra lutra (Otter) [1355]
<p>Knockanira House SAC (002319)</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Kilkishen House SAC.</p>	<p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>Toonagh Estate SAC (002247)</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Toonagh Estate SAC.</p>	<p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>Danes Hole, Poulnalecka SAC (000030)</p> <p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (Rhinolophus hipposideros) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Danes Hole, Poulnalecka SAC. See linked objective below:</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Danes Hole, Poulnalecka SAC.</p> <p>To maintain the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Danes Hole, Poulnalecka SAC.</p>	<p>Caves not open to the public [8310]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>Old Farm Buildings, Ballymacrogan SAC (002245)</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Old Farm Buildings.</p>	<p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>Moyree River System SAC (000057)</p> <p>Caves not open to the public (8310) is integrally linked to lesser horseshoe bat (Rhinolophus hipposideros) (1303) as part of the habitat for the species; therefore, a separate conservation objective has not been set for the habitat in Moyree River System SAC. See linked objective below:</p> <p>To maintain the favourable conservation condition of Lesser Horseshoe Bat in Moyree River System SAC.</p> <p>With respect to the other qualifying interests/species of conservation interest for which the SAC has been selected, the objective is to maintain their favourable conservation condition.</p>	<p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Caves not open to the public [8310]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p> <p>Lutra lutra (Otter) [1355]</p>
<p>Ballycullinan, Old Domestic Building SAC (002246)</p> <p>To restore the favourable conservation condition of Lesser Horseshoe Bat in Ballycullinan, Old Domestic Building SAC.</p>	<p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>

8.8. The above Table 8.1 reflects the EPA and National Parks and Wildlife Service (NPWS) list of qualifying interests for the SAC/SPA areas requiring consideration.

8.9. Potential Effects on Designated Sites

- 8.10. The submitted report identifies any pathways or links from the subject site to European Sites considered in this screening assessment, and I summarise this below.
- 8.11. Surface water from the subject site connects to a drainage ditch, which joins the Carrowmeer stream before converging with the Manusmore stream. The Manusmore Stream joins the Rine river and discharges into the River Shannon & River Fergus Estuaries SPA and the Lower River Shannon SAC. As a result, there is a hydrological connection to these aforementioned European sites. The proximity of the River Shannon & River Fergus Estuaries SPA and the Lower River Shannon SAC to the subject site (c.2 to 3km to the south) also gives rise to potential ecological linkages, with the potential of habitats on the site to support the qualifying species associated with these SPA and SAC areas. The qualifying bird species associated with the River Shannon & River Fergus Estuaries SPA, and otter associated with the Lower River Shannon SAC may utilise habitats within the subject site, however with respect to otter, habitat within the subject site is considered suitable to support commuting otter only.
- 8.12. The subject site also has potential ecological connectivity with the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC due to the proximity to these European sites (c.1.5 to 2.5km), and the potential for their qualifying species Lesser Horseshoe Bat, to utilise habitats within the subject site for foraging.
- 8.13. Potential impact is described in the submitted report as relating to the potential for contamination of surface and/or ground waters during construction, operation and decommissioning, as well as the potential for impact through disturbance and loss of habitat for mobile species ecologically linked to the subject site. The aquatic systems and species/habitats associated with the Lower River Shannon SAC are sensitive to pollution/contamination of surface waters which could potentially be deposited into surface waters and/or ground waters during all phases of the proposed development, arising from silt, cement or concrete wash, detergent, hydrocarbons or sewage. Such pollutants would also have the potential to impact qualifying interests associated with the other European sites linked to the subject site. The potential for the presence of other mobile species associated with the River Shannon & River Fergus Estuaries

SPA, Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC, and specifically QI birds, otter and Lesser Horseshoe Bat on the subject site and related potential impact as a result of disturbance and habitat loss during all phases of the proposed development also requires further consideration.

8.14. The remaining European sites listed in table 8.1 above do not have any direct or indirect connectivity or any other pathway to the subject site. In light of the characteristics of the proposed development (including consideration of cumulative effect), the distances to the remaining European sites highlighted in table 8.1 above, the characteristics of their QI/SCIs and the lack of any hydrological or any other pathway to those sites, there are no sources for potential effects to the Ballyallia Lough SPA; Slieve Aughty Mountains SPA; Lough Gash Turlough SAC; Ballyallia Lake SAC; Newhall and Edenvale Complex SAC; Newgrove House SAC; Old Domestic Buildings, Rylane SAC; Kilkishen House SAC; Pouladatig Cave SAC; Ratty River Cave SAC; Dromore Woods and Loughs SAC; Knockanira House SAC; Toonagh Estate SAC; Danes Hole, Poulnalecka SAC; Old Farm Buildings, Ballymacrogan SAC; Moyree River System SAC; and Ballycullinan, Old Domestic Building SAC.

8.15. AA Screening Conclusion

I concur with the conclusion of the applicant's screening, with respect to the possibility for significant effects on European sites at the River Shannon & River Fergus Estuaries SPA (004077), the Lower River Shannon SAC (002165), the Old Domestic Building (Keevagh) SAC (002010) and Poulmagordon Cave (Quin) SAC (000064) with respect to the following:

- Potential for contamination of surface and/or ground waters during construction, operation and decommissioning, as well as the potential for impact through disturbance and loss of habitat for mobile species ecologically linked to the subject site.

8.16. The specific conservation objectives for the habitats for the potentially effected European sites relate to range, structure and conservation status. The specific conservation objectives for the species highlighted for the potentially effected European sites relate to population trends, range and habitat extent. Potential effects arising from emissions associated with the construction, operation and

decommissioning of the proposed development have been highlighted above, which have the potential to affect the conservation objectives supporting the qualifying interest / special conservation interests of the European sites identified. As such, likely effects on the River Shannon & River Fergus Estuaries SPA (004077), the Lower River Shannon SAC (002165), the Old Domestic Building (Keevagh) SAC (002010) and Poulmagordon Cave (Quin) SAC (000064) cannot be ruled out, having regard to the sites' conservation objectives, and a Stage 2 Appropriate Assessment is required. The potential impacts are expanded upon in further detail as part of a Stage 2 Appropriate Assessment below.

8.17. In relation to the remaining European sites considered, taking into consideration the distance between the proposed development site to these designated European sites, the lack of a direct hydrological pathway with the potential to facilitate significant effect, or any other pathway or link to these European sites, as well as the dilution and dispersal effects, it is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the construction, operation and decommissioning of the proposed development, individually or in combination with other plans or projects, would not be likely to have an adverse effect on the conservation objectives or features of interest of the Ballyallia Lough SPA; Slieve Aughty Mountains SPA; Lough Gash Turlough SAC; Ballyallia Lake SAC; Newhall and Edenvale Complex SAC; Newgrove House SAC; Old Domestic Buildings, Rylane SAC; Kilkishen House SAC; Pouladatig Cave SAC; Ratty River Cave SAC; Dromore Woods and Loughs SAC; Knockanira House SAC; Toonagh Estate SAC; Danes Hole, Poulmalecka SAC; Old Farm Buildings, Ballymacrogan SAC; Moyree River System SAC; and Ballycullinan, Old Domestic Building SAC. Therefore, I agree with the applicant's submitted screening report that a Stage 2 Appropriate Assessment is not required with respect to these aforementioned European sites.

8.18. **Stage 2 – Appropriate Assessment**

8.19. The submitted NIS identifies the potential for negative effects upon the River Shannon & River Fergus Estuaries SPA (004077), the Lower River Shannon SAC (002165), the Old Domestic Building (Keevagh) SAC (002010) and Poulmagordon Cave (Quin) SAC (000064) as a result of the proposed development and I concur

that an Appropriate Assessment of the proposed development is required with respect to these aforementioned European sites.

8.20. The site-specific conservation objectives and qualifying interests / species of conservation interests of the River Shannon & River Fergus Estuaries SPA (004077), the Lower River Shannon SAC (002165), the Old Domestic Building (Keevagh) SAC (002010) and Poulmagordon Cave (Quin) SAC (000064) are summarised above in table 8.1. The NIS provides a description of the River Shannon & River Fergus Estuaries SPA (004077), the Lower River Shannon SAC (002165), the Old Domestic Building (Keevagh) SAC (002010) and Poulmagordon Cave (Quin) SAC (000064) and the potential effects of the proposed development, alongside any required mitigation to avoid adverse effects. A conclusion on residual impact is then provided. A summary of this assessment is set out below.

8.21. Description of Designated Sites:

8.22. River Shannon and River Fergus Estuaries SPA: This is an internationally important site that supports an assemblage of over 20,000 wintering waterbirds. It holds internationally important populations of four species and seventeen species of national importance. Threats, pressures and activities with impacts upon this SPA include a high level of threat from discharges within the site; and urbanised areas human habitation, fertilisation and industrial or commercial areas outside the site; and a medium level threat from nautical sports, shipping lanes, marine and freshwater aquaculture inside the site.

8.23. Lower River Shannon SAC: This site is of great ecological interest as it contains a high number of habitats and species listed on Annexes I and II of the EU Habitats Directive, including the priority habitats lagoon and alluvial woodland, the only known resident population of bottle-nosed Dolphin in Ireland and all three Irish lamprey species. This site forms the largest estuarine complex in Ireland and supports more wintering wildfowl and waders than any other site in the country. Threats, pressures and activities with impacts upon this SAC include a medium level threat from discharges, fertilisation, grazing and polderisation inside the site; a medium level threat outside the site from urbanised areas human habitation, eutrophication (natural), reclamation of land from sea estuary or marsh, and discharges; and a low level of threat inside the site from removal of beach materials, marine and freshwater

aquaculture, management of aquatic and bank vegetation for drainage purposes, and hunting.

- 8.24. Old Domestic Building (Keevagh) SAC: This site consists of a derelict two-storey dwelling near the village of Quin and is a breeding site of the Lesser Horseshoe Bat. The bats roost in the roof space and gain access through gaps around the roof and lower sections of the building. The population size is considered to be greater than 100 individuals which constitutes a population of international importance. This site is also notable as it is situated along the eastern limit of the distribution of this species in Ireland. There are mature trees and extensive hedgerows around the site which provide ideal foraging habitat for the bats. Apart from its value for foraging, the surrounding habitat serves as a corridor for the bats between the summer roost and hibernation site(s).
- 8.25. Poulmagordon Cave (Quin) SAC: This site is a natural limestone cave situated in a field south of Quin. The cave is used as a hibernation site by the Lesser Horseshoe Bat. The entrance to the cave is sheltered with Hawthorn (*Crataegus monogyna*) trees and the surrounding vegetation is scrub and hedgerows which provides suitable foraging habitat and shelter for the bats. The number of Lesser Horseshoe Bats hibernating here varies from over 50 to less than 20. As over 50 have been recorded, the site is of international importance. This site is also important as it is at the eastern limit of the species' distribution in Ireland. The site is a fine example of a natural cave, a habitat listed on Annex I of the E.U. Habitats Directive.
- 8.26. Potential Effects:
- 8.27. The report identifies the potential for the subject site to be utilised by QI bird species associated with the River Shannon & River Fergus Estuaries SPA. A wintering bird survey was carried out for the approved solar farm on the subject site (Reg. Ref. 22586) and the proposed substation and associated loop infrastructure is located entirely within the solar farm application site boundary. The report references that the wintering bird survey was completed over three days on the 14th January, 4th and 28th February 2022 and concluded that SCI species of the River Shannon & River Fergus Estuaries SPA were not identified as using the fields for foraging, feeding or roosting. One Snipe was recorded flying out of wet grassland area on the subject site, which is a Red listed species, however the proposed development does not

involve the removal of wet grassland area and therefore it was concluded that the proposed development is unlikely to have a negative effect on local Snipe populations. The report also states that due to the proximity of the subject site to the estuary, it is possible that the site could be utilised on an intermittent or occasional basis by over-wintering birds as a transit route, commuting corridor or feeding grounds. Overall, no potential for significant adverse effect was identified in connection with QI bird species of the River Shannon & River Fergus Estuaries SPA. The NIS goes on to describe safeguarding measures with respect to protecting habitats that may support QI bird species from degradation as a result of contamination of the aquatic environment and as a result ensuring disturbance of such species is kept to a minimum. Proposed mitigation is described in further detail below. Given the level of suitable habitat within the wider landscape for QI bird species, noise disturbance from construction and post-construction phases is not anticipated to be significant in terms of potential effects upon QI bird species. There is also no significant loss of suitable habitat for these species as a result of the proposed development. I am satisfied that the results of the wintering bird survey of the site as referenced in the submitted NIS for the current application, supports a conclusion that the site is not an important ex-situ location for QI bird species and there is no potential for significant adverse effects on QI bird species for the River Shannon & River Fergus Estuaries SPA as a result of the proposed development.

- 8.28. There is a hydrological connection between the subject site and the Lower River Shannon SAC, and therefore the potential for mobile species associated with this European site to be present on the subject site. However, the subject site does not support habitat that would be suitable to support mobile QI species associated with the Lower River Shannon SAC such as freshwater pearl mussel, lamprey species, salmon or bottlenose dolphin and as such their presence on the subject site can be ruled out. With respect to otter, another mobile species of the Lower River Shannon SAC, no holts and/or resting places, or any other field signs of otter were identified during the habitat survey of the subject site. Habitat on the subject site is also unsuitable for otter holts. However, otter may commute within close proximity of the subject site while moving between suitable foraging habitats. There is therefore potential for disturbance from the construction phase of the proposed development upon otter a QI species for the Lower River Shannon SAC and mitigation with

respect to this is set out further below. There is also potential for habitats for the SAC and habitats associated with QI species for the SAC which exist downstream of the subject site, to be adversely effected in the event of contamination entering watercourses as a result of the proposed development. Consideration of mitigation to prevent such potential effects is set out further below.

8.29. The subject site is ecologically linked with the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC. Due to its close proximity, there is potential for the QI species Lesser Horseshoe Bat for this SAC to forage close to the subject site during spring and summer months. There is an oak-Ash woodland area outside of the subject site and within the wider site area for the approved solar farm (Reg. Ref. 22586), situated in the western section of the 50m ecological buffer zone identified for the site in the NIS, which is illustrated in the conservation objectives document for Old Domestic Building (Keevagh) SAC as a potential foraging area for Lesser Horseshoe Bat. The proposed development does not involve the removal of this woodland. The subject site and bounds are not illustrated as a potential foraging area in the conservation objectives document for Poulmagordon Cave (Quin) SAC. The report states that as the Lesser Horseshoe Bat forages on flying insects that can be found in grassland, such as within the subject site, there may be potential for short term habitat displacement during construction works for the proposed development. However, as the areas surrounding the subject site are comprised of similar grassland, this is identified as providing similar habitat for the bats to be displaced to. It is anticipated that the proposed development would have a negligible effect upon Lesser Horseshoe Bat foraging in the area and that that potential for significant adverse effects is unlikely. However, mitigation is identified to minimise the potential for adverse effects upon Lesser Horseshoe Bat and is set out in further detail below.

8.30. In-combination/Cumulative effects:

8.31. Cumulative effects are considered on pages 48-55 of the submitted report, with plans and projects highlighted that have the potential for in-combination effects alongside the proposed substation due to their size, scale and proximity to the subject site. In consideration of plans and projects highlighted in the submitted NIS, it is concluded that the proposed development will not have any significant direct or indirect cumulative impact on ecological features. There are no likely significant

cumulative effects on European sites anticipated in combination with other proposed developments.

8.32. Mitigation:

8.33. The primary mitigation proposed is to prevent contamination of watercourses and comprises a range of pollution prevention and drainage management measures. It is proposed that suitable protection of watercourses is installed prior to relevant works proceeding and include minimising risk of leakages and emissions from construction plant and equipment. Measures relating to monitoring drainage management works are also outlined, as well as measures to be implemented in response to emergency spill or pollution response. Operational drainage measures are described which focus on the implementation of best practice SuDS, measures relating to clean water diversion and silt control are also outlined. A detailed description of proposed pollution prevention and drainage measures to be implemented is set out from paragraph 1.119 of the submitted NIS.

8.34. A summary of the potential effects and all proposed mitigation measures is set out below. (Cross ref. to table 1-11: Design, best practice and mitigation measures of submitted NIS).

Table 8.2 Summary of potential impacts and mitigation measures to be applied.

Feature	Potential Impact	Phase	Measure
Otter	Exclusion from foraging habitat	Construction	Security fencing to have mammal gates or a 10cm gap at base to allow free movement of otter through the site.
	Accidental trapping within excavations	Construction	All excavations should be securely covered, or a suitable means of escape provided at the end of each working day.
	Disturbance	Pre-construction	Pre-commencement survey (measures dependent on survey findings).

Feature	Potential Impact	Phase	Measure
	Pollution	Construction (cross ref. to aquatic environment below with respect to operational measures).	Best practice pollution prevention measures implemented prior to and throughout the construction phase to prevent contaminants entering the aquatic environment.
Aquatic environment	Pollution	Construction	<p>Best practice pollution prevention measures implemented prior to and throughout the construction phase to prevent contaminants entering the aquatic environment.</p> <p>Best practice biosecurity measures to be implemented throughout the construction phase.</p>
	Pollution	Operation	<p>Movement of surface water managed through best practice SuDS. Implementation of drainage strategy as described in the submitted Technical Appendix 4: Flood Risk and Drainage Impact Assessment. Management of wastewater generated.</p> <p>Additional measures include the design of access tracks to manage drainage.</p>

Feature	Potential Impact	Phase	Measure
			Implementation of silt control measures.
Salmon	Pollution	Construction (cross ref. to aquatic environment above with respect to operational measures).	Best practice pollution prevention measures implemented prior to and throughout the construction phase to prevent contaminants entering the aquatic environment. Best practice biosecurity measures to be implemented throughout the construction phase.
Sea, brook and river lamprey	Pollution	Construction (cross ref. to aquatic environment above with respect to operational measures).	Best practice pollution prevention measures implemented prior to and throughout the construction phase to prevent contaminants entering the aquatic environment. Best practice biosecurity measures to be implemented throughout the construction phase.
Bats	Destruction of roosts	Construction	Pre-construction potential roost inspection surveys on any trees to be removed (measures dependant upon findings).

8.35. With the application of the mitigation measures outlined in the NIS and summarised above, the NIS concludes that the project will not, alone or in-combination with other plans or projects, result in adverse effects to the integrity and conservation status of European Sites. I am satisfied with the data presented in the submitted NIS and concur with the conclusions reached with regard to the proposed mitigation measures and the overall potential significance of impact to River Shannon and River Fergus Estuaries SPA, Lower River Shannon SAC, the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC.

8.36. AA determination – Conclusion

8.37. The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

8.38. Having carried out a Stage 1 Appropriate Assessment Screening of the proposed development, it was concluded that likely adverse effects on River Shannon and River Fergus Estuaries SPA, Lower River Shannon SAC, the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC could not be ruled out, due to proximity to these European sites, potential for ex-situ species utilising the subject site and surrounding areas, and potential hydrological links to the subject site. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

8.39. Following a Stage 2 Appropriate Assessment, with submission of a NIS, it has been determined that subject to mitigation (which is known to be effective) relating to measures to control construction impact, reduce disturbance, prevent pollution and manage drainage, the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites, River Shannon and River Fergus Estuaries SPA, Lower River Shannon SAC, the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC or any other European site, in view of the sites Conservation Objectives.

8.40. This conclusion is based on a complete assessment of all aspects of the proposed project, both alone and in combination with other plans and projects, and it has been established beyond scientific reasonable doubt that there will be no adverse effects.

9.0 Conclusion

- 9.1. The proposed development comprises a 110/33kV substation consisting of 2no. control building, a transformer compound, a high voltage (HV) switchgear compound, a customer MV compound and associated cabling, along with associated works. The proposed substation forms part of a wider solar farm project approved by Clare County Council on 9th March 2023 (Reg. Ref. 22586).
- 9.1.1. National, regional and local planning policy all support the provision of renewable energy development and associated electricity infrastructure to support transmission and distribution of this energy via national grid. There are no sensitive landscape designations applicable to the site and visibility of the proposed development will be low. The proposed development would not give rise to excessive traffic generation, traffic hazard or endanger the safety of other road users, either during the construction or operational phase. The proposed development also does not give rise to any significant negative residential amenity, archaeological / heritage, drainage or ecological impacts.
- 9.1.2. A Stage 2 Appropriate Assessment has been carried out and determined that with the incorporation of mitigation, there would be no harm to the integrity of any European site.
- 9.1.3. Overall, the proposed development conforms with national, regional and local planning policies.

10.0 Recommendation

- 10.1. I recommend permission be GRANTED for the reasons and considerations set out below and subject to the following conditions.

11.0 Reasons and Considerations

- 11.1. Having regard to:
- a. The governments Climate Action Plan 2023;
 - b. The governments Project Ireland 2040 National Planning Framework;
 - c. The Regional Spatial and Economic Strategy for the Southern Assembly;

- d. The Clare County Council Development Plan 2023-2029.
- e. The nature, scale, and extent of the proposed development.
- f. Documentation submitted with the proposed application, as well as any submissions and observations from prescribed bodies, the planning authority and any third parties.
- g. The separation distances between the proposed development and dwellings or other sensitive receptors.
- h. The permitted solar farm development (reg. ref. 22586).
- i. The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the absence likely significant effects of the proposed development on European Sites.

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 ecology, 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.

11.2. Appropriate Assessment – Stage 1

- 11.2.1. The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, zoning of the site, the Screening for Appropriate Assessment and Natura Impact Statement Report submitted with the application, the Inspector's report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have an adverse effect on any European Site in view of the conservation objectives of such sites, other than River Shannon and River Fergus Estuaries SPA, Lower River

Shannon SAC, the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC, which were European sites where the likelihood of adverse effects could not be ruled out.

11.3. Appropriate Assessment – Stage 2

The Board considered the Natura Impact Statement and all other relevant submissions on the file and carried out an Appropriate Assessment of the implications of the proposed development on River Shannon and River Fergus Estuaries SPA, Lower River Shannon SAC, the Old Domestic Building (Keevagh) SAC and Poulmagordon Cave (Quin) SAC, in view of those 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:

- a) the site-specific conservation objectives for the European site,
- b) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, and in particular the risk of impacts on water quality and disturbance of QI/SCI species,
- c) the mitigation measures which are included as part of the current proposal.

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 Site, having regard to the site's conservation objectives.

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 the European Site in view of the site's conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

This conclusion is based on the measures identified to control the quality of surface water discharges which provide for the interception of silt and other contaminants prior to discharge from the site during construction phase, and protection measures to limit disturbance to species during construction phase.

12.0 Conditions

1.	<p>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.</p> <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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The period during which the development hereby permitted may be carried out shall be 10 years from the date of this order.</p> <p>Reason: Having regard to the nature of the development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.</p>
3.	<p>Mitigation and monitoring measures outlined in the plans and particulars, including the NIS, EclA and CEMP submitted with this application, shall be carried out in full.</p> <p>Reason: In the interest of protecting the environment and in the interest of public health.</p>
4.	<p>The construction and decommissioning of the development shall be managed in accordance with a Construction and Environmental Management Plan, including Construction Stage Traffic Management Plan (securing mitigation set out in section 5.87 of the application stage CTMP), with details to be consistent with those approved as part of associated application Reg. Ref. 22/586, and which shall be submitted to, and agreed</p>

	<p>in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> a) The appointment of a full-time, appropriately qualified environmental manager for the duration of the construction and development phases of the project. b) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains, and a site-specific water management plan providing details of measures to in accordance with the submitted NIS; c) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; d) Details of site security fencing and hoardings; e) Details of on-site car parking facilities for site workers during the course of construction; f) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; g) Measures to obviate queuing of construction traffic on the adjoining road network; h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; i) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; j) Details of pre and post construction surveys to be carried out over the roads, bridge and culverts, from the Ballyhannon South junction to the east of the site, along the entirety of the L-4172 to its junction with the L-7144 local roads and of any culvert, including monitoring during works. Including details of arrangements for rectification of any construction damage. All to be undertaken at the developers expense; k) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil. <p>Reason: In the interest of amenities, environmental protection and safety.</p>
5.	<p>The site shall be landscaped (and earthworks carried out) in accordance with the details submitted with the application, with works to be consistent with the associated Biodiversity Management Plan prepared for associated application Reg. Ref. 22/586, unless otherwise agreed in writing with, the planning authority prior to commencement of development or as otherwise</p>

	<p>stipulated by conditions. The site shall be landscaped with suitable native Irish trees and hedges. Existing boundary screening shall be retained in full (unless otherwise detailed for removal in plans submitted with the application) and shall be suitably strengthened with native hedge species indigenous to the area. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
6.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p>

	<p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>
7.	<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 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>

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.

Rachel Gleave O'Connor
Senior Planning Inspector

15th April 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318340-23			
Proposed Development Summary	10 year planning permission for a new 110kV substation to feed into the existing Drumline-Ennis 110kV overhead line circuit			
Development Address	Within the townland of Coolshamroge, Ennis, Co. Clare.			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	<input checked="" type="checkbox"/>	
		No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes			EIA Mandatory EIAR required	
No	<input checked="" type="checkbox"/>		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No	<input checked="" type="checkbox"/>	N/A		No EIAR or Preliminary Examination required
Yes				Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____