



An
Coimisiún
Pleanála

Inspector's Addendum Report

ABP-321640-25

Development

Request to alter permitted 110kV Substation at Bendinstown (ABP-313139-22) by inserting a telecommunications mast at the substation site only

Location

located in the townlands of Bendinstown, Gilbertstown, Kellistown East, Kellistown West, Ballycurragh, Ardbearn and Ballynunnery, County Carlow.

Planning Authority

Carlow County Council

Applicant(s)

Garreenleen Solar Farm Limited.

Type of Application

Section 146B – request to alter development approved under section 182A of the Planning and Development Act, 2000, as amended.

Observer(s)

Carlow County Council

Date of Site Inspection

26th June 2025

Inspector

Alaine Clarke

1.0 Introduction

- 1.1. This report is an addendum report to the Inspector's report in respect of ABP-321640-25 dated 30th June 2025.
- 1.2. On 6th August 2025, the Commission decided to exercise the provisions of Section 146B(2)(a) of the Planning and Development Act, 2000, as amended, by inviting submissions from the applicant as the Commission may consider that the particulars described may not come within the meaning of an alteration of the terms of the development, but rather may constitute a new element to the permitted development serving a different function that would be more appropriately dealt with as a planning application. A letter to this effect issued to the applicant on 12th August 2025.
- 1.3. This addendum report considers the applicant's further information/response and the subsequent submission from Carlow County Council in respect of the further information/response from the applicant.

2.0 Response of Applicant to the Board's Decision to Request Further Information

- 2.1. The agent for the applicant, HW Planning, responded by letter dated 29th August 2025. The response included a letter from EirGrid dated 28th August 2025. The applicant's comments can be summarised as follows:
 - The basis for the proposed amendment stems from a technical EirGrid request for the provisions of this mast for the purposes of telecommunications operations in the area, including the relay and management of information relating to the operation of the transmissions network locally. As such, the provision of the subject mast is critical to and will form part of the operational substation.
 - Referring to the accompanying EirGrid letter, which confirms that provision is needed to be made for a Microwave Radio Tower (telecommunications mast) due to a "lack of diverse Telecoms fibre optic communications route in the area...and current and future data transfer demands."

- Diverse and robust communications links are an essential component of the transmission power system and are required for the safe operation of the power system and for the protection of the transmission assets.
- The proposed mast is a critical component of the substation.
- The proposed mast represents a relatively minor addition to the permitted substation development.
- The proposed alterations are non-material and can be permitted within the scope of the existing permission.
- In addition to comments referred to above the EirGrid letter states that the microwave radio telecom link is required “due to a lack of fibre available in the area. Additionally, it is not feasible to provide fibre into Kellis 220/110 kV station at this time. Therefore, a separate radio solution at the Bendinstown 110 kV station is required in order to ensure redundancy and to avoid a single point of failure.”

3.0 Further Submissions

- 3.1. The Commission will note that Carlow County Council was the only observer in respect of the proposed alteration. It was invited to make a submission in respect of the applicant’s further information, and a submission was subsequently received on 9th October 2025.
- 3.2. The Commission will note that the contents of the observation from Carlow County Council are the same as Carlow County Council’s previous submission dated 5th March 2025. Section 6.0 of my report, dated 30th June 2025, provides a summary of the submission. For ease of reference, I repeat the summary below:
 - Request that the Board consider the Habitats Directive & Birds Directive;
 - No technical justification for the mast, questions if it will serve the wider area;
 - Appears to constitute a significant infrastructural addition to the permitted substation;

- Provisions of the Carlow CDP 2022-2028 relating to telecommunications have not been fully addressed;
- Regarding the Central Lowlands landscape character of the site, the mast should not unduly damage or detract from this landscape.

4.0 Applicant's Response to the Submissions

- 4.1. In the interests of justice, it was considered appropriate that the applicant was afforded the opportunity to respond to Carlow County Council's submissions dated 5th March and 8th October 2025; refer to memo on file, dated 30th October 2025. The applicant's response acknowledges that the Carlow County Council submissions are identical and query why Carlow County Council are seeking for the scheme to be advertised when this occurred several months ago. The applicant states that a technical justification for a telecommunications mast was submitted to ACP on 29th August 2025. The applicant queries whether the Carlow County Council submission was issued in error in duplicate.
- 4.2. Reference is made to the Sectoral Adaptation Plan for Communication Networks (November 2025). The Plan sets out how improved resilience will be built into the networks in the face of climate challenges, reflecting a commitment to safeguard essential services, protect citizens, and support businesses in the transition to a climate-resilient future.
- 4.3. On the matters raised by Carlow County Council, the applicant responds as follows:

4.3.1. Habitats Directive

The proposed alterations are localised and relatively limited in extent and will not have any impact on the integrity of any designated sites or materially alter the terms under which the assessment of potential impacts on qualifying interests of the River Barrow and River Nore SAC was undertaken.

4.3.2. Eirgrid Requirements

The provision of the proposed mast is critical to and will form part of the operational substation, referencing correspondence from Eirgrid (which is summarised in section

2.0 of this Addendum Report). The alteration is directly and functionally associated with the permitted substation and constitutes a necessary alteration to it.

4.3.3. Compliance with Carlow County Development Plan 2022-2028

- Sections 6.8.3 and 6.8.4 of the Carlow County Development Plan 2022 -2028 (CDP) establish the importance of an efficient telecommunications system in the development of the economy. The proposed development has regard to Telecommunications Antennae and Support Structures Guidelines for Planning Authorities and to Circular Letter: PL 0 7/12 (October 2012).
- The proposed development complies with the development management criteria relating to telecommunications mast set out in section 16.11.11 of the CDP.
- There are no other masts within a 2km radius of the Bendinstown 110kV station, the nearest mast is within a 4km radius.
- The joint location of interdependent infrastructure supports resilience building in the operation of the transmission network.

4.3.4. Landscape and Visual

A Landscape and Visual Impact Assessment (LVIA) technical note and associated photomontage booklet was submitted with the alteration request which confirms that the proposed development represents a relatively minor addition to the permitted (under construction) substation development and will not generate any notable additional landscape or visual effects.

4.4. I am satisfied that the issues raised by Carlow County Council are adequately addressed in my report dated 30th June 2025. Furthermore, the applicant's response to the issues raised do not alter my consideration of these issues in my report of June 2025.

5.0 Assessment

5.1. Consideration of Material Alteration

- 5.1.1. The applicant has submitted supporting documentation from Eirgrid stating the technical justification and confirming the requirement for a telecommunications mast at this location. I note that the proposed amendment stems from a technical EirGrid request for the provisions of this mast for the purposes of telecommunications operations in the area, including the relay and management of information relating to the operation of the transmissions network locally.
- 5.1.2. I note that there is a lack of diverse telecoms fibre optic communications route in the area and having regard to current and future data transfer demands, ESB Network Telecoms have identified the need for a microwave radio tower to be installed at the new Bendinstown 110kV station.
- 5.1.3. I accept the applicant's contention that the proposed mast is a critical component of the substation and acknowledge that robust communications links are an essential component of the transmission power system to ensure the safe operation of the power system.
- 5.1.4. Having regard to the supplementary documentation submitted by the applicant, I remain satisfied that the provision of the mast is critical to and will form part of the operational substation. I consider that the proposed mast would be functionally connected to and used for the purposes related to the Bendinstown substation and therefore does not represent a different function from the strategic infrastructure development of the substation.

5.2. Proposed Alteration to the Terms of the Permission

- 5.2.1. Following further consideration of the scheme, I consider it appropriate that condition no. 5(a) of ABP 313139-22 is altered to require that a low intensity fixed red obstacle light is fitted as close to the top of the mast as practicable which shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be

submitted to, and agreed in writing with, the planning authority prior to commencement of development.

5.3. Conclusion

5.3.1. I consider that the proposed alteration does not constitute the making of a material alteration to the terms of the development as granted permission under ABP ref. 313139.

6.0 Recommendation

I recommend that the Commission decides that the making of the alterations subject of this request do not constitute the making of a material alteration to the terms of the development as granted permission under ABP 313139-22 and that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on 10th January 2025 and 26th February 2025 generally in accordance with my report dated 30th June 2025 and subject to alteration of condition no. 5(a) of ABP 313139-22 to allow a low intensity fixed red obstacle light to be fitted as close to the top of the mast as practicable in the interest of public safety.

DRAFT ORDER

REQUEST received by An Bord Pleanála on the 10th day of January, 2025 from HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Co. Cork on behalf of Garreenleen Solar Farm Limited under section 146B of the Planning and Development Act, 2000, as amended, to make alterations to the permitted 110kV substation and underground grid connection, a strategic infrastructure development the subject of a permission granted under An Bord Pleanála reference number ABP-313139-22.

WHEREAS the Commission made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated 2nd November

2022, AND WHEREAS the Commission has received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alteration is described as follows:

- The insertion of a telecommunications mast, c. 24 metres to be located south of the EirGrid substation compound.

AND WHEREAS having regard to the issues involved, the Commission decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, to invite submissions or observations from the public in relation to the matter,

AND WHEREAS the Commission decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in the making of a material alteration to the terms of the development, the subject of the approval,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Commission considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Commission hereby alters the above mentioned development so that the permitted development shall be altered for the reasons and considerations set out below, in accordance with the plans and particulars received by An Coimisiún Pleanála on the 10th January 2025 subject to:

Condition no. 5(a) shall be altered as follows:

(a) A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.

MATTERS CONSIDERED

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

REASONS AND CONSIDERATIONS

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

- (i) the limited nature and scale of the alterations,
- (ii) the documentation on file,
- (iii) the observations from Carlow County Council,
- (iv) the report of the Inspector.

The Commission was satisfied that the information before it was adequate to undertake a screening for appropriate assessment in respect of the proposed alteration.

Appropriate Assessment - Stage 1

The Commission considered the Addendum to Natura Impact Statement and all the other relevant submissions and carried out both an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the only European site in respect of which the proposed development has the potential to have a significant effect is the River Barrow and Nore SAC (Site Code 002162).

Appropriate Assessment – Stage 2

The Commission considered the Addendum to Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the European Site, namely, the River Barrow and Nore SAC (Site Code 002162), in view of the sites' conservation objectives. The

Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission considered, in particular, the following:

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

In completing the Appropriate Assessment, the Commission 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 Commission 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.

Conclusions on Proper Planning and Sustainable Development

Having regard to:

- the nature and scale of the 110kV substation and underground grid connection development permitted under ABP-313139-22,
- the examination of the environmental impact, including in relation to Natura 2000 sites, carried out in the course of that application,
- the limited nature and scale of the alterations when considered in relation to the overall permitted development
- the location of the proposed alteration, adjoining the existing substation site and within the red line site boundary,
- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, and
- the report of the Commission's Inspector, which is adopted,

It is considered that the proposed alteration would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Commission hereby makes the said alterations.

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.

Alaine Clarke
Senior Planning Inspector

11th December 2025