



An  
Bord  
Pleanála

## Inspector's Report ABP-322205-25

<b>Development</b>	Proposed 110kV substation, grid connection and associated infrastructure and works
<b>Location</b>	lin the townlands of Kilmolash Upper and Rathkeevin, County Tipperary ( <a href="http://www.springmountgrid.com">www.springmountgrid.com</a> )
<b>Planning Authority</b>	Tipperary County Council
<b>Applicant(s)</b>	Springmount Solar Farm Limited
<b>Type of Application</b>	Application for Approval under Section 182A of the Planning and Development Act 2000 (as amended)
<b>Prescribed Bodies</b>	DAU (Development Applications Unit) Department of Housing, Local Government and Heritage TII (Transport Infrastructure Ireland) Tipperary County Council
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	10 <sup>th</sup> July 2025
<b>Inspector</b>	Joe Bonner

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## 1.0 Introduction

- 1.1. A direct application for approval has been made to the Coimisiún by Springmount Solar Farm Limited under the provisions of section 182A of the Planning and Development Act 2000, as amended, for the development of a permanent 110kV loop-in on-site electrical substation, 2 buildings, associated electrical plant and apparatus, access route and underground cabling, 2 no. proposed new 16 metre electrical end masts that would connect to the existing east west running Cahir-Doon 110kV overhead line, c50m north of the of the N24 National Secondary Road, all associated site works, services and drainage, in the townlands of Kilmolash Upper and Rathkeevin, Co. Tipperary.
- 1.2. The purpose of the proposed development is to connect a permitted solar farm (Springmount Solar PV Farm ABP-319664-24 (P.A. Reg. Ref. 23/172) to the national grid via the existing Cahir-Doon 110kV line. The proposed development was the subject of pre-application consultation (ABP-313693-22), on foot of which the Coimisiún determined on the 23<sup>rd</sup> of May 2023 that the proposed development of a 110kv substation would constitute Strategic Infrastructure Development and that an application must be made directly to the Coimisiún.

## 2.0 Site Location and Description

### 2.1. Site Location

- 2.1.1. The application site is located in the townlands of Kilmolash Upper and Rathkeevin, c.4km northwest of the western edge of Clonmel town, while Cahir Town Centre lies c.8.5km to the west. The village of Ballyclerihan is also located c.4km to the northeast.

### 2.2. Site Description

- 2.2.1. The site is located in a rural area and consists of parts of three improved agricultural fields which are bounded by a mix of hedgerows and treelines. A partially culverted drainage ditch runs north to south through the site and along the eastern side of the sites southernmost field, where the 2 no. masts would be located.
- 2.2.2. The site rises uphill from south (from the proposed masts) to north (the proposed substation) and the topography ranges from 82.67m to 109.8 mOD. While located in

the most elevated part of the site, the substation would be set well below the ridge line, as the land continues to rise northwards and the permitted solar farm continues up to an elevation of c139mOD. The substation site is also offset to the west of the field where the proposed masts would be located and would be located c310m north of the N24 and c440m west of the R687 Regional Road. The substation and masts are located c 400m apart.

- 2.2.3. Access is proposed from the western side of the R687 regional road that runs north-westwards from the N24. The proposed access has already been permitted as part of the permitted solar farm granted under ABP-319664-24 and does not form part of this application.

### **3.0 Proposed Development**

- 3.1. The proposed development will comprise the provision of a permanent 110kV loop-in on-site electrical substation, adjacent to the consented Springmount Solar PV Farm (TCC Pl. Ref. 23/172, ABP Ref. 319664-24). The proposed development will directly enable the operation of the consented Springmount Solar PV Farm by facilitating its connection to the national electricity grid.

- 3.2. The proposed development comprises:

- (i) A 110kV loop-in on-site electrical substation including 2 no. single storey control buildings with welfare facilities, and associated electrical plant and apparatus;
- (ii) Electrical cabling connecting the new 110kV loop-in on-site electrical substation to the existing Cahir-Doon 110kV overhead line will be underground in nature before reaching 2 no. proposed new 16 metre electrical end masts;
- (iii) Substation compound and cable maintenance track.
- (vi) Culvert/stream crossing and watermain/service crossing;
- (vii) Ancillary infrastructure and equipment including access gate, palisade security fencing, lighting columns; and
- (viii) All associated equipment and ancillary site development works.

A Natura Impact Statement accompanies the Planning Application.

### **3.3. Documentation Submitted**

3.3.1. In addition to the application form, public notices and letters of notification to relevant prescribed bodies, the application is accompanied by the following:

3.3.2. A Planning and Environmental Report with a series of Appendices, which are:

- Appendix 1 – S182A ABP-313693-22
- Appendix 2 – Construction Environmental Management Plan
- Appendix 3 – Policy Detail
- Appendix 4 – Environmental Impact Assessment Screening Report
- Appendix 5 – Appropriate Assessment Screening Report and Natura Impact Assessment
- Appendix 6 – Ecological Impact Assessment Report
- Appendix 7 – Noise Assessment
- Appendix 8 – Geology and Hydrogeology Assessment
- Appendix 9 – Flood Risk and Drainage Assessment
- Appendix 10 – Landscape Mitigation Plan
- Appendix 11 – Landscape and Visual Impact Assessment
- Appendix 12 – Photomontage Booklet
- Appendix 13 – Traffic and Transport Assessment
- Appendix 14 – Cultural Heritage and Archaeological Assessment
- Appendix 15 – Outline Construction Methodology

3.3.3. The application also includes 23 drawings.

## **4.0 Submissions and Observations**

### **4.1 Planning Authority – Tipperary County Council (TCC)**

4.1.1. The submission addressed the topics suggested by the Coimisiún, when it circulated the application. Part 1-5 describe the proposed development, the site location and its context including Natura 2000, archaeological, architectural and cultural heritage site

and also provides a review of EU, National, Regional and County Development Plan policy, and relevant planning history both on the site and in the vicinity.

4.1.2. Part 6 provides comments on the planning application, which are:

- While the applicant's EIA Screening Report considered that the project is not listed in Part 1 or Part 2 of Schedule 5, nevertheless, they submitted the information required by Schedule 7A in the report. Having considered this information, TCC is satisfied that impacts on 1) Population and Human Health; 2) Biodiversity; 3) Land, Soil, Water and Climate; 4) Cultural Heritage and Landscape; 5) interactions of 1-4 are not significant. It concludes that with design and mitigation, no significant individual or cumulative effects on the environment are anticipated.
- In respect of the NIS, TCC is of the opinion that the proposed development will not have a significant negative effect on the ecology of the area and does not represent a significant threat to protected or qualifying species of the nearby SAC.
- Having examined the submitted Traffic and Transport Assessment (TTA), the district engineer has no concerns with the carrying capacity of the road network.
- There is conflict between the proposed development and the Cahir-Waterford N24 upgrade. The existing 110kV line may need to be diverted, as the proposed end masts and part of the proposed cabling are in the Preferred Transport Solution (PTS) Corridor. The applicant proposed 2 joint bays to resolve the issue. The applicant should be requested to demonstrate that it is possible to build over the cabling without negatively impacting the cabling or required ongoing maintenance.
- The NRDO advised a possible 30 day outage may be required by Eirgrid in future to make cable amendments and while the applicant has no issue with this, an advice note should be attached that in such a scenario, the NRDO is not responsible for costs or losses, which should be borne by the applicant/developer.

4.1.3. In Part 7 the planning authority views the principle of the development favourably, as its purpose is to connect the already permitted solar farm to the national grid and it concludes that based on the information provided, that permission be granted subject to the following conditions.

- 1 Development to be carried out in accordance with submitted drawings and documentation. All mitigation and monitoring identified in the NIS shall be implemented in full.
- 2 Keep roads clean during construction and erect warning signage.
- 3 Access will be via the entrance permitted under ABP-319664-24 (solar farm).
- 4 Construction and operational phase noise limits.
- 5 Protect roads, culverts, watercourses, verges and public lands from damage during construction
- 6 Class 8 (industrial or light industrial buildings) contribution for the IPP building of 215.1sqm and EirGrid Control Building 450sqm at a rate of €23 per sqm.
- 7 Class 19 contribution relating to overhead and underground distribution lines for electricity at a rate of €10 per metre. The length of overhead line has not been stated so the levy to be applied cannot be calculated.
- 8 No special contributions will apply.

## **4.2. Prescribed Bodies**

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

- An Chomhairle Ealaíon;
- An Taisce;
- Commission for Regulation of Utilities;
- DAU (Development Applications Unit) Department of Housing, Local Government and Heritage
- EirGrid;
- ESB;
- Fáilte Ireland;
- Health and Safety Authority.
- Inland Fisheries Ireland;
- Minister for Environment, Climate and Communications;

- Minister for Agriculture, Food and the Marine;
- The Heritage Council;
- TII (Transport Infrastructure Ireland)
- Uisce Éireann

A total of three submissions were received from prescribed bodies, as follows:

#### 4.2.2. **DAU (Development Applications Unit) Department of Housing, Local Government and Heritage**

- The site is located in proximity to a number of Recorded monuments. The Archaeological Impact Assessment (AIA) noted that there is potential for previously unknown, sub-surface archaeological features or deposits and recommends the attachment of conditions regarding:
  - All mitigation measures in the AIA to be implemented in full.
  - Engage a suitably qualified Archaeologist to carry out pre-development Archaeological Geophysical Survey (under licence) and pre-development test excavations and prepare and submit written reports.
  - The Construction Environmental Management Plan (CEMP) shall include the location of any/all relevant archaeological and cultural heritage constraints as set out in the AIA, including mitigation measures to protect them.

#### 4.2.3. **TII (Transport Infrastructure Ireland)**

- Is supportive of the proposal, which together with the consented Springmount solar farm would give effect to National Strategic Outcome 8 of the National Planning Framework to increase renewable energy generation and enhance energy security.
- No direct access is proposed onto the national road.
- Section 2.7 of the Spatial Planning and National Roads Guidelines addresses 'Protection of Alignments for Future National Road Projects. The development is sited within the Preferred Transport Solution (PTS) Corridor for the N24 Waterford to Cahir Scheme which is advancing through project development phases. A weblink to the scheme is provided <https://n24waterford2cahir.ie/>.



- The Guidelines advise that development objectives, must not compromise the route selection process, particularly in circumstances where road scheme planning is underway and potential route corridors or upgrades have been identified and brought to the attention of the planning authority.
- The N24 Waterford to Cahir Scheme is identified in the National Development Plan, 2021 – 2030, as a proposed national road project which was part of the previous NDP and subject to further approvals, giving effect to National Strategic Outcome 2 (Enhanced Regional Accessibility) of the National Planning Framework.
- Objective RPO 167 of the RSES is for listed National Road Projects and includes ‘N24 Waterford to Cahir/Cahir to Limerick Junction’ to be delivered by 2027 to achieve NSO2, subject to required appraisal, planning and environmental assessment processes.
- The upgrade of the N24 National Route linking Limerick and Waterford (Major Roads Project) is also listed in Objective 12 – B of the Tipperary County Development Plan.
- National road scheme planning, undertaken in accordance with Government objectives must not be compromised by individual development proposals.
- While the applicant liaised with the N24 project team and Tipperary County Council, the proposal has the potential to introduce a significant and costly constraint that can impact on the development and delivery of the N24 Scheme.
- As mitigation, the applicant proposes the introduction of joint bays, to allow for future cable relocation, and this appears to be accepted by the N24 Waterford to Cahir Scheme project team as a measure that can be employed, which would not technically constrain the Scheme development. However, in the interest of clarity, such mitigation should be included as a condition of any permission granted.
- The cost of any electricity outage associated with cable relocation, as part of the road scheme, has not been addressed in the application. Increasing costs for the development of a road scheme (in planning) is considered contrary to the broader public interest concerning the achievement of value for money for the taxpayer.
- In the interest of providing for the proposed project and grid connection, and to deliver on the objectives of the Climate Action Plans (CAP 24 and CAP 25), while

safeguarding the Exchequer investment in road scheme planning and safeguard the N24 Scheme, TII suggests that the issue of future costs and liabilities, which is a relevant consideration in accordance with the Ministerial Guidelines, should be considered and addressed by the Coimisiún in its assessment of the application.

- As ownership of the grid connection, when energised, will transfer to Eirgrid, it is unclear if the applicant has authority to commit to any mitigation surrounding consent required for any future temporary outage or grid re-location required to facilitate the N24 Waterford to Cahir Scheme and costs associated with same. This poses a significant risk to progression of the N24 Waterford to Cahir Scheme.
- It is critical the above matters are addressed in advance of a decision issuing.
- TII also suggests the Coimisiún considers the inclusion of the following condition in any decision to grant permission to address the issues it identified:
  - 1 Applicant to agree the exact grid connection project details and interactions in the vicinity of the N24 Waterford to Cahir Scheme with Tipperary County Council prior to the commencement of any development, and to agree the liability for future costs arising as a result of any requirement to implement an electrical outage and/or cable relocation associated with the grid connection cabling between the Springmount Solar PV Farm Substation and the existing Cahir - Doon 110kV Network which may be required to facilitate the planning, design and delivery of the NDP Investment Objective: the N24 Waterford to Cahir Scheme. In the event of no agreement, the matter would revert to An Bord Pleanála. The reason for attaching this condition is to address the prematurity of the application pending the finalisation of a road layout for the area and to safeguard the Exchequer investment in the planning, design and delivery of the N24 Waterford to Cahir Scheme in accordance with Government policy and investment objectives, NSO 2 of the NPF, Objective RPO 167 of the RSES and Objective 12 – B of the Tipperary County Development Plan, 2022 – 2028.
- TII also recommends consultation with Tipperary County Council and the N24 Waterford to Cahir Scheme Project Team.

National Road Network Maintenance and Safety

- Network maintenance and road safety require consideration prior to any decision.
- No works are identified to the national road to facilitate construction or delivery of development components to site. Any necessary works to comply with TII publications and be subject to Road Safety Audit.
- Identified mitigation measures should be included as conditions, if a grant issues.
- Any temporary works within a Motorway Maintenance and Renewal Contracts boundary to facilitate the transport of any abnormal loads to site, will require a Deed of Indemnity before works can take place. All damage to National Roads to be rectified and agreed with the road authority.

#### Structures

- While not stated to be part of the application, if abnormal weight loads (46 – 200 tonnes) or exceptional abnormal loads (in excess of 200 tonnes) are proposed to service the site, particular steps must be taken such as permits from local authorities, agreement of haul routes, and inspection of all structures to be crossed.

#### Greenways

- Consultation recommended with Tipperary County Councils internal project and/or design staff in relation to any Greenway or Active Travel proposals in the vicinity of the proposed works.

#### Conclusion

- No part of this submission shall be construed as TII giving consent to access or alter any national road infrastructure assets.

#### **4.2.4. Uisce Éireann**

- Records indicate there is an existing 250mm Asbestos water pipe (vulnerable asset) within the development site, that will need to be treated with care. It does not allow building over its assets, while separation distances as per Uisce Éireann's Standards Codes and Practices must be achieved. Further information is requested:

- 1 Applicant must engage with Uisce Éireann's Diversions team to assess feasibility of build over and / or diversion. The outcome of this engagement shall be submitted as a response to this Further Information request.

Or, alternatively

- 2 The applicant shall submit revised plans and layouts clearly indicating separation distances have been achieved to accommodate the existing infrastructure within the site, as per Uisce Éireann's Standards and Code of Practices.

It concluded by stating that once Uisce Éireann considers the proposal to be acceptable, the applicant will be issued a Confirmation of Feasibility letter.

### **4.3. Invited Submissions**

- 4.3.1. Due to the nature of the proposed development, which includes a proposal to include joint bays to facilitate the future potential need to relocate the overhead line, the applicant has committed to that being acceptable. However, by the time that the works may have to be carried out, Eirgrid would be the owner of the line and for that reason the application was circulated to Eirgrid, and they were invited to make submissions or observations thereon.
- 4.3.2. A section of the proposed realigned N24 road runs through the site and the N24 Waterford to Cahir Road Design team which works out of Waterford County Council was also provided with copies of both the application and submission and observations were invited thereon.
- 4.3.3. The responses are set out below:

#### **Eirgrid**

- 4.3.4. No submission was received from Eirgrid. Eirgrid had also been notified of the application by the applicant.

#### **N24 Waterford to Cahir Road Design team (1<sup>st</sup> October 2025)**

- 4.3.5. The response notes that 'the underground cabling from the proposed substation to the 110kV line would run in a north-south direction across the corridor' and that 'there is direct conflict between the proposed grid connection and the N24W2C'.

- 4.3.6. It goes on to state that it is likely that a diversion of the existing 110KV line would be required, and this would require demolition of the two masts, including the proposed foundations, with each mast having 4 no concrete foundations measuring 4m x 4m x 3m in depth.
- 4.3.7. It continues to state that pre-application consultations between the developer and members of the N24W2C included a developer's proposal of including joint bays for flexibility and in the application they are shown to be outside of the corridor, while the developer has also indicated that they would cover the cost of an outage that would be required by Eirgrid for future modifications to the cabling and grid connection.
- 4.3.8. It restates in full, Section 6.1.3.2 of the submission of Tipperary County Council referring to the 'N24 upgrade'. It outlines the applicant's proposals as set out in paragraph 4.3.7 above.
- 4.3.9. It noted TII requested a condition be attached specifically addressing costs relating to the N24W2C and sets out in full the text of the proposed condition.
- 4.3.10. Finally, the submission notes that the design of the N24W2C project has not progressed since the application was submitted and while the Regional Design Office has no new observations to make, it would reiterate the requests of TCC and TII for conditions to be attached to any grant of permission.

#### **4.4. Third Party Submissions**

- 4.4.1. No submissions received.

### **5.0 Applicant's Response to submissions**

- 5.1.1. The applicant was invited to respond to the submission received from Tipperary County Council (TCC), the Development Applications Unit of the Department of Housing, Local Government and Heritage DAU, Transport Infrastructure Ireland (TII) and Uisce Éireann. The format of the response is that the applicant sets out the relevant comments of the parties and follows up with a response. The key elements of their responses are set out below.

#### **5.2. Applicant's response to Tipperary County Council (TCC)**

5.2.1. It starts by noting that TCC views the proposed development as enabling works for the permitted substation, views the development favourably and is of the view that permission should be granted. TCC is also satisfied that significant effects on the environment are not anticipated and that there is no threat to the nearby the SAC.

5.2.2. Visual Impact

- Additional photomontages were produced showing the relationship between the two proposed masts within a single image. The applicant agrees with TCC, that “there is sufficient assimilative capacity in the landscape to accommodate the proposed works’.

5.2.3. Traffic Impacts

- If necessary, the applicant will demonstrate that the N24W2C project can be constructed over the cabling without impacting negatively on its operation or ongoing maintenance of the new N24.
- While it is not proposed to place electricity assets, including ducts, cables, and associated infrastructure under public roads as part of this application, if the N24 diverts the Cahir-Doon 110kv line, the applicant will comply with the Interim Guidance to Road Authorities regarding the potential placement of Medium or High Voltage electricity assets under public roads.
- The applicant agrees that the NRDO will not be liable for costs/losses associated with any outage associated with the delivery of the new N24.

5.2.4. Conditions and Contributions

Regarding the seven proposed conditions, the applicant responded that they will:

- Ensure that the proposed development will be carried out and completed in accordance with the submitted plans, documents and NIS.
- Keep the public roads clean and tidy and install advanced warning signage.
- Ensure access is taken from the access to the permitted solar farm, while service roads and new tracks shall be surfaced in gravel or hardcore and shall not be hard topped with tarmacadam or concrete.

- Ensure that in relation to noise, the construction and operational phases of the development shall operate within all relevant EU/National legislation and guidelines; will ensure sound measurements will be carried out in accordance with ISO Recommendation R 1996 “Assessment of Noise with Respect to Community Response,” as amended by ISO Recommendations R 1996-I; that noise complaints will be investigated and reported on within 2 months.
- Carry out a pre-commencement road condition survey. All road surfaces, culverts, watercourses, verges and public lands shall be protected during construction and repaired if damaged.
- Accepts TCC’s proposal to impose development contributions of €23 per sqm for IPP Building (215.1 sqm) and EirGrid Control Building (450 sqms).
- The applicant clarifies that there are no overhead lines as the development will connect directly to the existing Cahir-Doon 110kV line.

### **5.3. Applicant’s response to the DAU**

5.3.1. The DAU submission made recommendations regarding Archaeology and the applicant responded that:

- All mitigation measures relating to archaeology and cultural heritage, as outlined in the Archaeological Impact Assessment, will be implemented in full, unless otherwise required by a condition.
- They shall engage a suitably qualified and licenced archaeologist and will adhere to all of the pre development surveying, excavation and reporting requirements of TCC and the DAU.
- An updated Construction Environmental Management Plan (CEMP) will be submitted to TCC prior to the commencement of works, and will including the location of all archaeological or cultural heritage constraints, as set out in the Archaeological Impact Assessment
- The applicant shall submit a final archaeological report detailing the results of all archaeological monitoring and any required investigative work and shall bear all associated cost.

### **5.4. Applicant’s response to TII**

5.4.1. The response follows the headings used in the TII submission.

#### Official Policy

5.4.2. Applicant will agree the exact grid connection details and interactions in the vicinity of the N24 Waterford to Cahir Scheme with TCC prior to the commencement of any development, including arrangements, possible future electrical outages, cable relocation and associated costs.

#### 5.4.3. Proposed Haul Route

- No works are proposed to the national road network as part of the project.
- The applicant accepts that mitigation measures should be conditioned to a decision to grant permission and that TII will be contacted prior to any abnormal loads being transported to site, as a Deed of Indemnity is required.
- Any damage caused to national roads due to the turning movement of abnormal 'length' loads shall be rectified and will be agreed prior to commencement of development.

#### Structures

- Where abnormal size or weighted loads are required, the necessary permits will be obtained in advance along the route from relevant local authorities.
- All structures along the haul route will be structurally assessed to determine if they can accommodate proposed loadings, where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations, will apply particularly to 'Exceptional Abnormal Loads' ('EAL') weighing over 200 tonnes.
- All abnormal loads (46-200 tonnes) and EAL's will be notified to the planning and roads authorities.

#### Greenways

5.4.4. There is no conflict between the development and any Greenway or Active Travel proposals.

#### Conclusions



- 5.4.5. The applicant accepts that TII would pursue costs arising from any damage caused to national roads or associated assets.

## **5.5. Applicant's response to Uisce Éireann**

- 5.5.1. The Applicant has engaged with Uisce Éireann's diversion team regarding the proposed development and both parties are in active consultation regarding the proposed development and Uisce Éireann assets.
- 5.5.2. A detailed strategy for managing interactions with underground assets along the proposed cabling route will be developed in consultation with Uisce Éireann's diversions team to assess the feasibility of any required diversions. The Applicant agrees that no build-over of Uisce Éireann assets will occur without prior written agreement and confirmation of diversion feasibility, and the same will be obtained prior to commencement of development.

## **5.6. Applicant's Conclusion**

- 5.6.1. The applicant has responded fully to all matters arising.

# **6.0 Planning History**

## **6.1. Subject Site**

- **ABP-319664-24 (P.A. Reg Ref. 23/172)** – 10 year permission GRANTED on the 21<sup>st</sup> of August 2024, for a 66.95ha solar PV farm (40 years operational live) with an output of c.60MW. It includes 2 no. new gated site entrances from the R687 local road and incorporates the site of the current proposed development.
- **Pre-Application Request - ABP 313693-22 (VC92.313693)** – On the 19<sup>th</sup> of May 2023, the Coimisiún determined that a proposed 110kV substation with connection to the national grid via an existing 110kV overhead line and associated works – would fall within the scope of Section 182A of the Planning & Development Act 2000 (as amended) – and would constitute Strategic Infrastructure Development.

## **6.2. Recent nearby planning history**

- **P.A. Reg. Ref. 21/551** – Permission Consequent GRANTED on the 20<sup>th</sup> of July 2021 for a two storey dwelling, garage, driveway, treatment system, percolation area

and new entrance, on a site c250m to the east of the proposed substation (part built).

- **P.A. Reg. Ref. 23/208** – Permission GRANTED on the 28<sup>th</sup> of October 2023 for (1) the access and internal road modifications (2) timber sheds, LPG tanks, waste receptacles and external generator, modification to percolation area, (3) advertising signage, light columns, on an existing nursing home site, c700m south east of the proposed 16m high masts.

## **7.0 Policy Context**

### **European Policy**

#### **7.1. Energy Roadmap 2050**

- 7.1.1. Notes 'Transforming the energy system' will include a growing share of renewables.

#### **7.2. 2030 Climate and Energy Framework (October 2014)**

- 7.2.1. The European Council endorsed EU-wide binding targets for 2021 to 2030 of 1) at least 40% less greenhouse gas emissions by 2030, compared to 1990; and 2) at least 27% renewable energy consumption in 2030.

#### **7.3. Regulation (EU) 2018/842**

- 7.3.1. Ireland's binding greenhouse gas emission reduction target for 2030 in relation to 2005 levels is 30%, to comply with Paris Agreement commitments.

#### **7.4. European Green Deal 2020**

- 7.4.1. Aims to make Europe climate neutral by 2050, by doubling the share of renewable energy in the energy mix by 2030, compared to 2020, to reach at least 40%.

#### **7.5. REPowerEU Plan 2022 and Directive EU 2018/2001 (REDII), as amended 18.05.2022**

- 7.5.1. The REPowerEU Plan amended the RED II Directive, to require 42.5% of energy is from renewable sources by 2030 (previously 32%).

#### **7.6. RED III (European Renewable Energy Directive (EU/2023/2413))**

- 7.6.1. RED III sets a binding renewable energy target that by 2030, at least 42.5% of energy will come renewable sources, but is aiming for 45%.

## **7.7. EU Action Plan for Grids, November 2023**

- 7.7.1. Recognises that electricity grids are critical for the clean energy transition. For the EU to bring renewable electricity to consumers and empower them to produce it, grids need to develop further and faster through faster permitting processes.

### **National Policy**

## **7.8. Project Ireland 2040 - National Planning Framework, 2018 (updated April 2025)**

- 7.8.1. NSO No 8 seeks a 'Transition to a Carbon Neutral and Climate Resilient Society'. It states Ireland will have a more renewables-focused energy generation system harnessing energy sources such as solar and that the accelerated delivery of additional renewable electricity generation is essential for Ireland to meet its climate targets, reduce its greenhouse gas emissions, and improve its energy security by reducing reliance on imported fossil fuels and diversifying its electricity supply. Overall, it is a green energy objective to deliver 80% of our electricity needs from renewable sources by 2030.
- 7.8.2. Chapter 9 'Climate Transition and Our Environment' states that the Framework can support the response to climate change through a variety of measures including through the accelerated roll out of on-shore wind energy and solar development. Under the heading of 'Renewable Electricity' the 'Government has set ambitious targets to achieve 8 GW of solar by 2030'.
- 7.8.3. National Policy Objective 70 seeks to 'Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050'.
- 7.8.4. National Policy Objective 71 seeks to 'Support the development and upgrading of the national electricity grid infrastructure, including supporting the delivery of renewable electricity generating development'.

## **7.9. National Development Plan 2021-2030**

- 7.9.1. The Government's investment strategy and budget up to 2030, commits to increasing the share of renewable energy up to 80% by 2030. NSO8 addressees the need for significant expansion and strengthening of the electricity transmission and distribution grid, including transmission cables and substations, to link renewable

electricity generation to electricity consumers and to accommodate higher levels of renewables on the electricity system.

#### **7.10. Climate Action and Low Carbon Development Act 2015 (as amended)**

7.10.1. The Act provides for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a low carbon, climate resilient and environmentally sustainable economy. It introduced five-year carbon budgets starting in 2021. The first two budgets commit Ireland to reducing emissions by 51% over a 12 year period to the 31st of December 2030. It also established sectoral emissions ceilings compared to 1990 levels, and a net zero target for 2050.

7.10.2. Section 15 (1) (as amended) provides that:

- A relevant body (a public body) shall, in so far as practicable, perform its functions in a manner consistent with —
  - The most recent approved a) climate action plan, b) national long term climate action strategy, c) national adaptation framework and approved sectoral adaptation plans,
  - d) the furtherance of the national climate objective, and
  - e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

#### **7.11. Climate Action Plan 2024 (CAP 2024)**

7.11.1. Sectoral emissions ceilings approved by Government in July 2022 requires a 75% reduction in emissions from electricity by 2030, based on 2018 levels. Central to achieving this goal is an increase in the share of renewable electricity to 80%, largely from solar and wind. Key 'Electricity' targets include delivery of up to 5 GW of Solar by 2025 and 8 GW by 2030. Large-scale deployment of renewables will be critical to decarbonising the power sector and enabling electrification of other technologies.

7.11.2. CAP24 details the significant changes required to enhance the electricity grid's capacity and flexibility, to accommodate the expected significant upsurge in renewable energy, while ensuring the system's reliability and efficiency.

## **7.12. Climate Action Plan 2025 (CAP 2025)**

- 7.12.1. CAP 2025 builds upon CAP 2024 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings, and it should be read in conjunction with CAP 2024. In chapter 3, it is noted that the response to the call for expert evidence referred to the importance of upgrading infrastructure, especially the electricity grid, to support the transition to clean energy. Consistent decreases in electricity generated emissions including a 22% reduction from 2021 to 2023 is due to an increase in the share of renewable electricity generation. It noted that 7% of electricity generated in 2023 came from renewable sources other than wind, such as solar, hydro, and biomass. The electricity generation targets remain 5 GW of Solar by 2025 and 8 GW by 2030.

## **7.13. Ireland's Long-term Strategy on Greenhouse Gas Emissions Reduction (Climate Action Strategy - 2024)**

- 7.13.1. It states that 'To achieve the Emission Reduction Measures and Milestones to 2050, the core measures necessary to deliver a net zero emissions electricity sector by 2050 is to deliver significantly higher renewable power capacity mostly through onshore wind, offshore wind, and solar PV. To achieve the required increase in renewable electricity capacity, installation rates of wind and solar power will need to significantly accelerate'. Accelerating the deployment of wind and solar power will align with Ireland's EU commitments and support the RePowerEU Plan.

## **7.14. Second National Adaptation Framework (NAF) 2024**

- 7.14.1. An incremental approach to climate adaptation will be necessary. Electricity is identified as critical infrastructure. Ireland will need to implement adaptation measures by using energy sources and technologies that produce minimal environmental pollution and greenhouse gas emissions, thereby promoting a more sustainable and eco-friendly energy supply.

## **7.15. Sectoral Adaptation Plan for Electricity and Gas Networks (first edition 2019)**

- 7.15.1. Section 2.3 states that 'electricity generation is fully open to competition in Ireland', and that the diverse range of power generation assets that contribute to the energy mix, is an important factor in delivering energy security, reducing Ireland's dependence on any one source.

## **7.16. National Climate Objective**

- 7.16.1. The national climate objective is to achieve transition to a competitive, low-carbon, climate-resilient and environmentally sustainable economy by 2050.

## **7.17. Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012**

- 7.17.1. The Government approved that it is appropriate for additional electricity transmission and distribution grid infrastructure to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply.

## **7.18. Energy Security in Ireland to 2030, Energy Security Package (November 2023)**

- 7.18.1. The document includes 28 actions and focuses on achieving security through an electricity led system which maximises our renewable energy potential. Action 11 seeks to ensure a fit-for-purpose electricity grid that supports Ireland's energy and climate ambition, and it is noted that extensive reinforcement and expansion of the whole electricity transmission and distribution network will be critical to meeting our objective to decarbonise the economy through greater electrification.

## **7.19. National Energy & Climate Plan 2021-2030 (NCEP) (July 2024)**

- 7.20. The objectives for decarbonisation from renewable energy include 1) achieving a 34% share of renewable energy in energy consumption by 2030; 2) Increase electricity generated from renewable sources to 70%; and 3) Up to 1.5 GW of grid scale solar energy, through streamlined consenting and connection arrangements.

## **7.21. Irelands 4th National Biodiversity Action Plan (NBAP) 2023-2030**

- 7.21.1. Includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Coimisiún, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Coimisiún.

## **Regional Policy Context**

## **7.22. Regional Spatial and Economic Strategy for the Southern Region**

- 7.22.1. Chapter 5 'Environment' includes the following Regional Policy Objectives (RPO's):

- RPO 96 – Integrating Renewable Energy Sources – It is an objective to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate renewable energy sources...
- RPO 100 – Indigenous Renewable Energy Production and Grid Injection – It is an objective to support the integration of indigenous renewable energy production...

7.22.2. Section 8.2 'Strategic Energy Grid' includes the following RPOs:

- RPO 219 – 'New Energy Infrastructure' – It is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs.
- RPO 222 – 'Electricity Infrastructure' – It is an objective to support the development of a safe, secure and reliable supply of electricity and to support and facilitate the development of enhanced electricity networks..."

### **7.23. Tipperary County Development Plan 2022-2028**

7.23.1. The Development Plan came into effect on the 11<sup>th</sup> of July 2022 and is the relevant plan for the purpose of this application.

#### Renewable Energy

7.23.2. Chapter 10.4 Renewable Energy Policy states that it is a strategic aim of the Renewable Energy Strategy to facilitate a low-carbon future in Tipperary by supporting the sustainable development of the renewable energy sector in Tipperary.

7.23.3. Section 10.4.1 Renewable Energy Targets notes that:

- In terms of solar electricity generation, there are approximately 15 ground mounted solar farms permitted, these will have an estimated output of 117MW...it can be seen that Tipperary is a strong net exporter to the national grid and has already exceeded its minimum targets for renewable electricity on a per capita basis. However, in line with the Renewable Energy Strategy currently in place, the Council

will seek to further build on this achievement, and to continue to proactively support the export of renewable electricity to contribute to national targets.

7.23.4. Policy 10-1 is to:

- Support and facilitate new development that will produce energy from local renewable sources such as ... solar..., including renewable and non-renewable enabling plant, subject to compliance with normal planning and environmental criteria, in co-operation with statutory and other energy providers. The provisions of the Tipperary Renewable Energy Strategy..., will apply to new development.

7.23.5. Chapter 15.5 'Electricity and Gas Supply Networks' - prevailing policy states that additional electricity transmission and distribution grid infrastructure, should be permitted and developed and where appropriate, the Council will support the statutory providers of national grid infrastructure by safeguarding strategic corridors, where identified, from other developments which might inhibit the provision of energy supply networks.

7.23.6. Policy 15-3 states - It is the objective of the council to: Support the sustainable development, maintenance and upgrading of electricity and gas infrastructure, by network providers, to enable the integration of renewable energy sources and enable an energy system that is safe, secure and adaptable.

7.23.7. Policy 15-F states: 'It is the objective of the Council to: Work in partnership with the Department of the Environment, Climate and Communications in line with their 'Policy Statement to Ensure Security of Electricity Supply and Facilitate the Target of up to 80% Renewable Electricity Generation by 2030', and to facilitate additional electricity transmission and distribution grid infrastructure, as well as additional electricity interconnection and electricity storage.

### **Sustainable Transport**

7.23.8. Chapter 4 notes that the National Development Plan and RSES have identified the upgrade of the N24, linking Waterford-Limerick as a key infrastructural requirement, and that route selection processes are underway for the Waterford to Cahir section.

7.23.9. Chapter 12.5 'Roads Priorities for Tipperary' refers to the proposed N24 upgrade as a Major Roads Project in the county. Section 12.7 contains the following Objective:



- 12-B - Work in partnership with TII, and regional stakeholders to achieve enhanced regional accessibility, sustainable mobility and quality international connectivity. In particular, to actively seek; (b) The upgrade of the N24 National Route linking Limerick and Waterford (Major Roads Project).

#### Appendix 2 Renewable Energy Strategy

7.23.10. Section 4.6 'Solar Energy' anticipates there will be significant growth in ground mounted solar installations over the coming years and notes 18 applications for connections to the national grid had been made in respect of sites in Tipperary. Section 4.11 'Proposed Grid Connections' includes a map of proposed grid connections, with 71.99MW of solar seeking connections at the time.

- Section 6.8 'Solar Energy Strategy' includes Policy RE10: 'Ground Mounted for Solar PV Installations', which states 'It is the policy of the Council to facilitate solar energy installations where it is demonstrated to the satisfaction of the Council that there will be no significant adverse impact on the built and natural environment, the visual character of the landscape or on residential amenity'.

7.23.11. Section 11.7 of the development plan outlines the policy related to landscape and visual amenity within County, with Policies 11-16 and 11-17 relevant. In addition, the Landscape Character Assessment is in Volume 3 to the development plan. The site is located in LCA4 River Suir Central Plain, which is the most cohesive and extensive LCA in the county. It is characterised by the prominence of settlements and infrastructure. It is a high capacity/ low sensitivity, Class 1 Landscape where change or development is generally acceptable – subject to all other relevant objectives and policies. Solar development is deemed to be a 'low' driver of landscape change, while Large Transmission Lines would be a 'moderate' driver. Solar is also deemed to have a medium compatibility with LCA 4 on scale of 5 different levels being Least, Low, Medium, High and Most. There are no Scenic Routes or Views in the vicinity of the site.

#### **7.24. Tipperary Climate Action Plan 2024-2029**

7.24.1. Climate Actions in the Plan include No 51 to 'Advocate for both proactive national planning policy and fit for purpose national grid infrastructure in Tipperary that will support the transition to renewable energy'.

## **7.25. Natural Heritage Designations**

- 7.25.1. In relation to AA, the proposed development site is not located within or adjacent to any European site. The nearest European site to the application site is the Lower River Suir SAC (Site Code 002137) which is c3.4km directly south of the site. The hydrological distance from the site to the River Suir is approximately 6.8km.
- 7.25.2. Notwithstanding the separation distance, the applicant stated in the pre-application consultation (ABP-313693-22) that Stage 2 AA/NIS was likely required given that the watercourse running through the site is a tributary of the River Suir (Lower River Suir SAC).

## **8.0 EIA Screening**

- 8.1. Appendix 4 to the Planning and Environmental Report submitted with the application is an Environmental Impact Assessment (EIA) Screening Report. The report notes that the proposed 110kV substation, that is the subject of this application, does not fall into a class of development set out in either Part 1 or 2 of Schedule 5 to the Planning and Development Regulations 2001 (as amended) and does not require a mandatory EIA. The screening report further considers the proposed development in the context of sub-threshold EIA screening and includes screening of the proposed development with regard to the criteria set out in Schedule 7 to the 2001 Regulations and Annex II of the 2014 Directive.
- 8.2. As noted by the applicant, the prescribed classes of development and thresholds that trigger a mandatory EIA are set out in Schedule 5 of the Regulations. The only classes that I consider to be of potential relevance to the proposed development are as follows:
- Schedule 5, Part 1, Class 20: Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres.
  - Schedule 5, Part 2, Class 3(b): Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more.

- 8.3. An electrical substation is not a class of development contained in Parts 1 or 2 of Schedule 5 of the Regulations and the proposed voltage does not meet or exceed 110kV. I do note that the proposed development does not include the construction of overhead power lines as the proposed development will connect directly to existing 110kV overhead line at the 2 proposed masts, while all of the cabling that will provide a connection between the proposed substation and the masts will run underground, except for the vertical cable running from the ground to the masts.
- 8.4. The proposed development is not a class of development for the purposes of EIA as set out in Parts 1 or 2 to Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations) and a mandatory EIA is not required. I am also satisfied that the proposed development would not constitute sub-threshold development and a screening determination for EIA is not required. Refer to Form 1 in Appendix 1 to this report.

## **9.0 Water Framework Directive Assessment**

- 9.1. The entire site is located within the Suir\_180 surface water catchment, with part of the Jamestown Stream running along the south eastern boundary of the site. The Lower River Suir SAC lies approximately 3.8km to the south of the proposed electricity substation and c6.8km hydrologically via the local drainage network. The site is also located within the Clonmel Groundwater Body.
- 9.2. The proposed substation is located on the western side of the Jamestown Stream, while the two proposed 16m masts are on its eastern side c400m to the southeast of the substation. The underground cabling consisting of two separate circuits of 3 No. 160mm diameter HDPE power cable ducts and 2 No. 125mm diameter HDPE and communications ducting are to be installed in excavated trenches. The ducting will extend underground for distances of c650m and 730m and will cross the culverted section of the Jamestown Stream by either an overcrossing (drawing 05847-DR-015) or undercrossing (drawing 05847-DR-021). No in stream works are proposed. The access track would follow the route of the cabling as shown on drawings 05847-DR-002 and 05847-DR-003.
- 9.3. The potential for contamination or spillages from the release of hydrocarbons and cement-based products, and sediment discharges, during the construction and

operational phases of the development are considered in the NIS, which also includes mitigation measures to protect both surface and groundwater bodies.

- 9.4. The proposed construction and operational drainage regime are set out in the CEMP in Appendix 2 and Section 5 of Appendix 9 'Flood Risk and Drainage Assessment' and is part of the design of the project. Construction phase mitigation will include buffer zones, silt fencing, collector drains, interceptor drains and check dams. The operational phase drainage will see run-off from the substation dealt with locally via infiltration and rainwater harvesting, while the access track will be finished with a permeable surface and the existing drainage networks will be monitored for blockages.
- 9.5. I have assessed the proposed development and proposed mitigation measures set out collectively in the CEMP and in the other appended reports in the context of objectives set out in Article 4 of the Water Framework Directive, which are to protect and, where necessary, restore surface and groundwater bodies.
- 9.6. On the basis of objective information provided by the applicant and subject to the implementation of the proposed mitigation measures, I consider that the proposed development would not result in a risk of deterioration either qualitatively or quantitatively to any waterbody, either on a temporary or permanent basis, and would not otherwise jeopardise any waterbody in reaching its WFD objectives. Therefore, I am satisfied that the need for further assessment can be excluded.

## **10.0 Oral Hearing**

- 10.1. No party made a request for an oral hearing, and as such, there is no requirement for a decision in this instance.

## **11.0 Planning Assessment**

### **11.1. Introduction**

- 11.1.1. Having carried a site visit and having regard to the relevant policies pertaining to the subject site, the nature and scale of the proposed development and the nature of existing and permitted developments in the immediate vicinity of the site, I consider

that the main issues pertaining to the proposed development can be assessed under the following headings:

- Background
- Principle of Development and Planning Policy
- Landscape and Visual Impact
- Roads, Traffic and Access
- Biodiversity
- Flood Risk and Drainage
- Cultural Heritage and Archaeology
- Noise
- Geology and Hydrogeology
- Duration of Permission
- Alternative Options for Services Crossings
- Future Costs and Liabilities
- Proposed Conditions

## **11.2. Background**

- 11.2.1. The purpose of the proposed substation and grid connection is to connect the recently permitted Springmount solar farm project (ABP-319664-24) in Co. Tipperary to the national grid via the existing 110kV Cahir-Doon overhead line that runs in a west to east direction at the southern end of the site. The site of the solar farm extends over an area of approximately 66.95ha and includes the site of the proposed substation and grid connection as well as other lands to the north and northeast of the substation. The permitted solar farm would have a maximum export capacity to the national grid of c. 60MW.
- 11.2.2. The proposed development was the subject of pre-application consultation (ABP-313693-22), on foot of which the Coimisiún determined on the 23<sup>rd</sup> of May 2023 that the proposed development would constitute Strategic Infrastructure Development and that an application must be made directly to the Coimisiún.

### **11.3. Principle of Development and Planning Policy**

- 11.3.1. The site is located in a rural agricultural area adjacent to and within the site boundary of a permitted solar farm development. So, while the development is not a renewable energy project in itself, it is ancillary to a permitted solar farm and is necessary for its energisation.
- 11.3.2. At a European level, a number of binding targets apply to Ireland that require a reduction in greenhouse gas emissions, while Ireland has a binding renewable energy target of 42.5% under REPower EU (2022) and the RED III Directive, while the EU Action Plan for Grids recognises that electricity grids are critical for the clear energy transition to net zero by 2050.
- 11.3.3. The proposed development would be consistent with National Strategic Outcomes (NSO) No 8 'Transition to a Carbon Neutral and Climate Resilient Society', of the updated National Planning Framework (April 2025), which states that Ireland will have a more renewables-focused energy generation system harnessing energy sources such as solar and National Policy Objective 71 which seeks to support the development and upgrading of the national electricity grid infrastructure, including supporting the delivery of renewable electricity generating development. It would also support the provision of up to 8GW of solar by 2030 which is referred to in the Climate Actions Plans 2024 (CAP24) and 2025 (CAP25) and with the CAP's recognition of the need to enhance the electricity grid capacity and flexibility to accommodate the expected significant upsurge in renewable energy. I am satisfied that the proposed development would be consistent with the documents set out in Section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended) including the 2024 Climate Action Strategy, which states that Installation rates of wind and solar power need to significantly accelerate. I am also satisfied that the proposed development would be consistent with the national adaptation framework, which promotes a more sustainable and eco-friendlier energy supply and the first Sectoral Adaptation Plan for the Electricity and Gas Network Requires a 75% reduction in greenhouse gas emissions between 2018 and 2030.
- 11.3.4. The proposed development is also consistent with Action 11 of Energy Security in Ireland to 2030, Energy Security Package (November 2023) which seeks to ensure a fit-for-purpose electricity grid that supports Ireland's energy and climate ambition,

while it also notes that extensive reinforcement and expansion of the whole electricity transmission and distribution network will be critical to meeting the objective to decarbonise the economy through greater electrification.

- 11.3.5. The National Energy & Climate Plan 2021-2030 (NCEP) (July 2024) includes objectives to achieve a 34% share of renewable energy in energy consumption, increase electricity generated from renewable sources to 70% and provide up to 1.5 GW of grid scale solar energy, through streamlined consenting and connection arrangements. The proposed development would deliver on these objectives.
- 11.3.6. I am satisfied that the proposed development is also consistent with Regional Policy Objectives 96 and 100 of the Regional Spatial and Economic Strategy which support the upgrading of electricity grid infrastructure to integrate renewable energy sources and production.
- 11.3.7. The strategic aim of the Tipperary Renewable Energy Strategy is to support a low-carbon future and to proactively support the export of renewable electricity including solar, to contribute to national targets. Chapter 15.5 states additional electricity transmission grid infrastructure, should be permitted and developed where appropriate.
- 11.3.8. Following from the above, I am satisfied that the proposed development would be consistent with European, national, regional and county level planning policy and would facilitate the development of a permitted solar farm that would help Ireland to deliver on the binding greenhouse gas reductions targets and the production of 80% of electricity from renewable sources by 2030.
- 11.3.9. As the principle of a solar farm has already been deemed acceptable by both the Planning authority and the Coimisiún, I am of the opinion that the proposed development, which is the enabling infrastructure necessary to connect the permitted solar farm to the grid, is also acceptable in principle subject to other planning considerations as set out below.

#### **11.4. Landscape and Visual Impact**

- 11.4.1. Section 6.8 of the Tipperary Development Plan states that solar development will be facilitated where it is demonstrated there will be no significant adverse impact on the built and natural environment, the visual character of the landscape or on residential

amenity. The proposed development is effectively an addendum to a permitted solar farm and the two overground elements that could have a landscape or visual impact are the two 16m high masts and the substation.

- 11.4.2. I have reviewed the Landscape and Visual Impact Assessment (LVIA) and the Landscape Mitigation Plan that have been prepared by MKO. The assessment also includes a number of photomontages, with the focus of the LVIA and photomontages on the substation and masts, while additional photomontages were provided in response to the submissions on the application and I have reviewed all of these images. The LVIA assesses the potential landscape and visual impacts of the proposed development on the receiving environment, and identified a 1km radius as visual or landscape effects would not be high, beyond this distance and taking into account the nature of the topography and tree and hedgerow cover, I am satisfied that the proposed development would not have an impact beyond this distance and in most instances has an impact over a much shorter distance.
- 11.4.3. The site is located in the LCA4 River Suir Central Plain landscape in the Tipperary Development Plan 2022-2028. It is described as a high capacity/ low sensitivity, Class 1 landscape, where change or development is generally acceptable, subject to other relevant policies and objectives. Solar is deemed a low driver of landscape change, while large transmission lines would be a moderate driver. As transmission lines can be supported on masts of up to 44m in height, I do not consider that the proposed 16m high masts would be large transmission lines. I also note that there are no scenic routes or views in the vicinity.
- 11.4.4. I have viewed the viewpoint locations as part of my site visit, and I am satisfied that the selected viewpoints and photomontages provide an accurate and acceptable representation of potential views of the site. I note that the highest elevation within the 1km LVIA study area is 156mAOD.

#### Substation

- 11.4.5. The topography of the proposed substation site is currently uneven and rises from southeast to northwest from 97mOD to 109mOD. Cut and fill will be necessary to establish the new ground level of 105.16OD. This will effectively reduce the height of the site relative to the rising ground to the rear when viewed from the junction of the N24 and the R867, as illustrated in Photomontage VP03 in Appendix 12. I am



satisfied that the proposed substation would not have a negative visual or landscape impact.

### Masts

- 11.4.6. With respect to the proposed masts, these will be the most prominent elements of the development, particularly from the immediately adjacent N24, which is located c50m south of the proposed masts, as there is not vegetative cover along the roadside boundary. Although the proposed masts would be 16m in height, they would have finished levels of c84m and would rise to c100mOD at the top, which is below the proposed finished ground level of the substation. Taking into account the ground level and the backdrop of rising land to the north, and the presence of the existing 110kv line and polesets, I would not consider the proposed masts to be prominent features in the wider landscape. A cluster of mature trees is located on the western approach to the site from Cahir, which effectively eliminates views of the masts until you are adjacent thereto, on the western approach. This vegetation is shown in Plate 11-7 of the LVIA. The mast would be more visible on approach from the east from Clonmel, as shown in Viewpoints but would be set against the backdrop of trees and the rising topography to north and west. These more open views are illustrated in Plate 11-8 to 11-12 of the LVIA and in viewpoints VP01 and VP02.
- 11.4.7. The top of the masts would be visible when driving south towards the N24, as illustrated in Viewpoint VP3 (Proposed View B), but this view is intermittent, and drivers would only be focussed on the road at this point as the width and alignment of the road as well as roadside trees and hedgerows that restrict southwards views. The nature of the roadside vegetation is illustrated in Plates 11-13 to 11-16 in the LVIA.
- 11.4.8. Plates 11-17 to 11-19 illustrate views of the proposed development from nearby residential receptors. I note that no objections to the proposal were raised by local residents including the residents of the closest houses located on the southern side of the N24 that would have unobstructed views of the proposed masts and of some of the already permitted solar farm. Having viewed these locations on the ground, I am satisfied that the proposed development would not have a significant negative

effect on the amenities of the existing residences in the context of existing, permitted and planned infrastructure in the immediate vicinity.

#### LVIA

- 11.4.9. The LVIA notes that where vegetation is scarce or gaps occur, additional native screening planting in the form of native shrubs and trees is proposed to reinforce screening of the proposed development from adjacent visual receptors. I note the landscaping proposal in the Landscape Mitigation Plan and if the Coimisiún is minded to grant permission.
- 11.4.10. It also note that the landscape value and sensitivity and susceptibility to change of the subject site is 'Low'.
- 11.4.11. The assessed effect of viewpoint 1 is deemed to be of low sensitivity and have low visual effects. The effect of viewpoint 2A and 2B, which are looking north from along the N24 at the two proposed end masts is deemed to be of low sensitivity and have a medium visual effect taking into account the existing visible poleset (VP2A) and lack of valuable scenic views for both images. It also notes that the visual effects would be momentary for persons travelling on the N24. Viewpoint 3A looks westwards from the R687 towards the substation and is deemed to be of low sensitivity and have low visual effects. Viewpoint 3B looks south-westwards from the R687 towards the masts and is deemed to be of low sensitivity and have low visual effects.
- 11.4.12. The overall landscape effect of the proposed development is considered in the LVIA to be medium.
- 11.4.13. Due to strategic design and siting the proposed development is expected to have very limited visual exposure and no substantial impact on the character of the wider landscape setting and it will read together with the permitted solar farm as a single development with no cumulative effects predicted
- 11.4.14. I note that no objections to the proposal were raised by local residents including the residents of house located on the southern side of the N24 that would have unobstructed views of the proposed masts and of some of the already permitted solar farm.

11.4.15. I am of the opinion that it is appropriate to co-locate infrastructure and that the placement of the proposed end masts close to the existing N24 road corridors is appropriate.

### **11.5. Roads, Traffic and Access**

- 11.5.1. I have examined Appendix 13, which is a copy of the Traffic and Transport Assessment that was prepared for and submitted with the application for the permitted Springmount Solar PV Farm ABP-319664-24 (P.A. Reg. Ref. 23/172). The solar farm site incorporates the site of the proposed substation and grid connection. I have also examined Sections 5.7 and 6.9 of the applicant's Planning and Environmental report, which both address 'Traffic and Transport'.
- 11.5.2. Access to the proposed development would be from the already permitted access to the permitted Springfield solar farm from the western side of the R687 Regional Road, that is to be constructed c500m to the northeast of the proposed substation and via the permitted access tracks that will also serve the permitted solar farm. Adequate sight lines and turning arc would also be available from the proposed access and the access does not form part of this application.
- 11.5.3. The TII submission states that abnormal loads (46-200 tonnes) are not stated to be part of the application, and that all vehicles or loads outside the permitted limits must obtain a permit for its movement from each local authority through whose jurisdiction the vehicle shall travel. I note that Appendix 15, the 'Outline Construction Methodology', states that the 110kV transformer has an approximate transport weight of 75,000kg (75 tonnes) and requires a special transport solution that needs to be assessed as part of the detailed design phase.
- 11.5.4. In response to TII's submission, the applicant noted that they would seek the required permits and would structurally assess all structures over which abnormal loads of ELV would travel, would agree haul routes in advance of travelling and would repair all and any damage caused by the movements, while they would also seek the necessary permits.
- 11.5.5. I am satisfied that this matter, including the haul route can be addressed by way of condition, should the Coimisiún be minded to grant permission.

## **11.6. Biodiversity**

- 11.6.1. A badger sett has been recorded in close proximity to the site. This matter has been addressed by way of a condition in the permitted solar farm application, which incorporates the entire site of the proposed development. I consider that it would be appropriate to attach the same condition on this application, should the Coimisiún be minded to grant permission.

## **11.7. Flood Risk and Drainage**

- 11.7.1. I have examined Appendix 9, which is a copy of the Flood Risk and Drainage Assessment submitted with the application for the permitted Springmount Solar PV Farm ABP-319664-24 (P.A. Reg. Ref. 23/172) and incorporates the site of the proposed substation and grid connection. I have also reviewed Sections 5.4 'Land, Soils Geology and Hydrology' and 6.6 'Flood Risk and Drainage' of the applicant's Planning and Environmental report.
- 11.7.2. I am satisfied that the proposed development would not result in increased risk of flooding or the impairment of drainage, subject to appropriate mitigation measures set out in the Flood Risk and drainage Assessment that can be addressed by way of a condition, if the Coimisiún is minded to grant permission.

## **11.8. Cultural Heritage and Archaeology**

- 11.8.1. I have examined Appendix 14, which is a copy of the Cultural Heritage and Archaeology assessment submitted with the application for the permitted Springmount Solar PV Farm ABP-319664-24 (P.A. Reg. Ref. 23/172). It incorporates the site of the proposed substation and grid connection. The three fields that the site is located in are identified as fields 13, 14 and 15.
- 11.8.2. The applicant's Planning and Environmental report notes that there are two recorded monuments within the overall solar farm site, and they had recommended that monitoring be carried out in those specific areas. I note that an archaeological monitoring condition was attached to the grant of permission on ABP-319664-24 but did not specify that it applied to any specific area, which means that it includes the site of the current proposed development. The applicants Planning and Environmental report also refers to the mitigation measures set out in the Cultural Heritage and Archaeology assessment which were proposed to avoid accidental

damage which could occur during the construction stage. I note that no concerns were raised by observers in respect of cultural heritage or archaeology and the planning authority did not recommend the attachment of such a condition in this application. However, as this application is an ancillary element of the permitted solar farm and would be carried out in tandem with it, and as the grant of permission for the solar farm already has an archaeological monitoring condition attached to it, I consider it appropriate to attach the same condition to this application, should the Coimisiún be minded to grant permission.

## **11.9. Noise**

- 11.9.1. The application includes the Noise Assessment prepared by AWN Consulting Ltd that was prepared for the already permitted solar farm, and I have reviewed this document. It provides a description of the receiving ambient noise climate in the vicinity of the site and an assessment of the potential noise and vibration impact during both the construction and operational phases of the development. The methodology adopted included the carrying out of baseline daytime and nighttime noise monitoring at four locations followed by performing predictive calculations for potential effects at the most sensitive receptors which are one off houses. While the assessment relates to the entire site of the already permitted solar farm, the relevant data points for the proposed development are N1 (day and night) and N4 (day).
- 11.9.2. Construction phase noise, vibration and traffic impacts are assessed using industry standard methodologies and guidance, as are operational phase impact in respect of the proposed electrical inverters, transformers, the substation and traffic. I am satisfied that the proposed methodology provides for a thorough assessment of all potential noise and vibration impacts and that information provided in the report remains relevant as there have been no new developments in the area since the solar farm was permitted.
- 11.9.3. It was determined that the proposed development would not give rise to any significant levels of vibration either on or off site and the associated impact is not significant.
- 11.9.4. The background noise levels at N1 ranged from 49-55dB  $L_{Aeq,15\text{ min}}$  (daytime) and 49-53dB  $L_{Aeq,15\text{ min}}$  (nighttime) and at N4 they were 64-65dB  $L_{Aeq,15\text{ min}}$  (daytime). The daytime significance threshold for construction noise at the site is set at 65 dB  $L_{Aeq,T}$

The main contributors to noise at both locations was birdsong and traffic noise from the N24. The applicant set a daytime significance threshold of 65 dB LAeq,T for construction noise, with no requirement for a night threshold as no night works are proposed to take place.

11.9.5. Traffic impacts as a result of the proposed construction and operational phases of development are considered to be low and would not result in a significant noise impact.

11.9.6. In the noise assessment the nearest residence to the solar farm was determined to be 50m away, while noise levels were calculated at 50m intervals from 50m to 250m from the noise source. This was calculated to be 3 no machines operating simultaneously with a total noise level of 86 dB at 10m. This is a possibility for the proposed development, as it would be necessary to cut and fill the site to prepare for the development of the substation. The nearest house to the proposed substation would be c190m to the northeast while the nearest houses to the south would be c250m away. Table 1-11 of the Noise Assessment has calculated noise levels of 53, 49 and 47 dB LAeq, T, at distances of 150m, 200m and 250m from the source, which are all below the 55dB LAeq level for the hours of 07:00 to 19:00. The nearest houses to the proposed masts would be located c75m to the south of the site on the southern side of the N24, where road traffic dominates the noise environment and the LAeq, 15 min was 64-65 during three recorded daytime periods.

11.9.7. I am satisfied that the construction of the development would not generate an unacceptable level of noise at any nearby residences and that the dominant noise level in the vicinity would remain passing traffic on the N24.

11.9.8. Overall, I am satisfied that subject to appropriate conditions that the proposed development would be acceptable in respect to construction noise and vibration and operational noise.

## **11.10. Geology and Hydrogeology**

I have examined Appendix 8 – the Geology and Hydrogeology Assessment which sets out and identifies on a series of maps the locations of designated sites, geological features, rivers and lakes, as well as protected drinking areas and water quality. I consider the range of features considered therein to be extensive and acceptable and I agree with its conclusions that the proposed development would

have no impact on the quality of local soil, water, groundwater or ecology provided that proposed mitigation measures are implemented. The proposed mitigation measures, which are standard mitigation measures that would be applied as standard measures for most developments, are set out in table 3.4 of the Geology and Hydrogeology Assessment and are also restated in Table 6-1 of the Construction Environmental Management Plan. I am satisfied that should the Coimisiún be minded to grant permission, that these matters can be addressed by way of a condition.

#### **11.11. Duration of Permission**

- 11.11.1. The application has applied for a 10-year planning permission. Such duration would be consistent with previous decisions of the Coimisiún in respect of similar substation developments and would also be consistent with the duration of the permission granted for the Springmount Solar Farm under ABP-319664, which was granted in August 2024. I consider a ten-year permission to be reasonable, and this can be addressed by way of a condition if the Coimisiún is minded to grant permission.

#### **11.12. Alternative Options for Services Crossings**

- 11.12.1. The proposed development would include a culvert/stream crossing of the existing north-south running Jamestown Stream that runs through the northeastern part of the site before running along the southwestern boundary. It will also include a watermain service crossing between the two proposed masts at the southern end of the site. The public notices describe these elements of the development as 'Culvert/stream crossing and watermain/service crossing'.
- 11.12.2. The application has included a number of different drawings showing alternative over and underpasses of the drainage channels with Drawing No 05847-DR-012 titled 'Single trench Ditch/Drain Crossing Detail' showing an under ditch pipe being laid over an open ditch; Drawing No 05847-DR-014 titled 'Typical Trench DC Section for Crossing Over Watermain'; Drawing No 05847-DR-015 titled 'Typical Trench Section for Crossing Over Existing Culverts/Services'; Drawing No 05847-DR-021 titled 'Typical SC Trench Section for Crossing under Culverts/Services'
- 11.12.3. I am satisfied that the applicant has adequately described the different potential methods of crossing the stream and watermain in the public notices and

has adequately illustrated the potential methods to be employed and I consider that these alternative options come within the scope of the approval sought from the Coimisiún.

11.12.4. I also note the comments of Uisce Éireann, whereby they state that they do not permit vulnerable assets, in this case an existing 250mm asbestos waterpipe, to be built over. They offered two alternatives to resolve the matter, in the form of engagement with Uisce Éireann's Diversions team to assess the feasibility of building over and / or diversion, or alternatively the submission of revised plans and layouts clearly indicating that separation distances have been achieved to accommodate the existing infrastructure within the site, as per Uisce Éireann's Standards and Code of Practices. Uisce Éireann also stated that once a proposal is deemed acceptable it would issue a confirmation of feasibility letter. The applicant's response was that they have already engaged with Uisce Éireann and that no works would commence until an agreement had been reached.

11.12.5. On the basis of the options provided by the applicant, and the fact that Uisce Éireann is amenable to agreeing one of a number of different options, that would protect its watermain, I am satisfied that if the Coimisiún is minded to grant permission, that the specific means of crossing the existing watermain can be addressed by way of a condition.

### **11.13. Future Costs and Liabilities**

11.13.1. In its submission, the NRDO advised a possible 30 day outage may be required by Eirgrid in future to make cable amendments and while the applicant has indicated their willingness for same, the NRDO recommended that an advice note should be attached that should such a scenario arise, that the NRDO is not responsible for costs or losses, which should be paid by the applicant/developer.

11.13.2. Similarly, TII stated that the cost of any electricity outage associated with cable relocation, as part of the road scheme, has not been addressed in the application. They also stated that increasing costs for the development of a road scheme in planning is considered contrary to the broader public interest concerning the achievement of value for money for the taxpayer and that this needed to be considered as part of the application.



11.13.3. Both Eirgrid and the N24 Waterford to Cahir design teams were invited to make submissions on the application and in response the N24 design team recommended that a condition as suggested by TII be attached, and in responding to the submissions, the applicant indicated that they are willing to accept such a condition. In the particular circumstances of this application, where the design of the new N24 has not yet proceeded, but may affect or be affected by the proposed development and could require the relocation of the underground cable, I consider that would be appropriate to attach a condition to address the matters raised in TII's proposed condition, should the Coimisiún be minded to grant permission.

#### **11.14. Proposed Conditions**

##### Development Contributions

11.14.1. In its submission on the application, the planning authority recommended the attachment of development contributions for both of the IPP building and the EirGrid Control building at a rate of €23 per sqm and for the overhead and underground electricity distribution lines at a rate of €10 per metre. These proposed contributions reflect the rates set out in the Tipperary County Council Development Contribution Scheme 2020 where the €23 refers to 'Class 8 – Industrial' and the €10 to 'Class 19 – Per Metre - Distribution Lines'.

11.14.2. The introduction to Tipperary Development Contributions Scheme 2020 states that Section 48 of the Planning and Development Act 2000 (as amended) enables the Planning Authority, when granting planning permission under Section 34 of the Act, to include conditions requiring the payment of a financial contribution in respect of public infrastructure and facilities benefiting development in the area.

11.14.3. This application for approval has been submitted to the Coimisiún under Section 182A of the Planning and Development Act 2000 (as amended) and the provisions of Section 48 do not apply to it. For that reason, I am satisfied that the provisions of the development contribution scheme do not apply to the proposed development.

## **12.0 Appropriate Assessment**

### **12.1. Screening Determination**

12.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening report, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Suir SAC [002137] in view of the sites conservation objectives. Appropriate Assessment is required.

12.1.2. This determination is based on:

- The nature and scale of the proposed development/works.
- The hydrological connectivity between the application site and Lower River Suir SAC (002137) and the potential for significant effects on QI habitats and QI species, by way of pollution and deterioration of water quality.
- The potential for significant ex-situ disturbance impacts on QI otter populations

## **12.2. Appropriate Assessment Conclusion: Integrity Test**

12.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lower River Suir SAC (002137) in view of the conservation objectives of the site and that Appropriate Assessment under the provisions of S177U was required.

12.2.2. Following an examination, analysis and evaluation of the NIS and all associated material submitted and taking into account the submission of Tipperary County Council, I consider that adverse effects on the site integrity of the Lower River Suir SAC (002137) can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

12.2.3. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- An assessment of in-combination effects with other plans and projects.
- No significant effects on the qualifying interests of European sites or supporting habitats, arising from the project.
- The proposed development will not affect the attainment of conservation objectives for the Lower River Suir SAC (002137) or prevent or delay

the restoration of favourable conservation condition restoration of favourable conservation condition for identified Qualifying Interests.

- The effectiveness of mitigation measures proposed in the NIS.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Lower River Suir SAC (002137).

## **13.0 Recommendation**

13.1. I recommend that the Coimisiún Approve the application for the proposed development for the following reasons and considerations, subject to the conditions set out below:

## **14.0 Reasons and Considerations**

In performing its functions in relation to the making of its decision, the Coimisiún had regard to:

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

The Coimisiún also had regard to the following in coming to its decision:

- European legislation, including of particular relevance:
  - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.

- Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
- Directive 2000/60/EC, the Water Framework Directive, and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
  - National policy with regard to the transition to a carbon neutral and climate resilient society, particularly the NPF First Revision 2025 and National Policy Objective 71.
  - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
  - Regional Spatial Economic Strategy for the Southern Region.
  - Tipperary County Development Plan 2022-2028.
- Other relevant national policy and guidance documents including
  - Tipperary Climate Action Plan 2024-2029.
  - Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- 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 likely significant effects of the proposed development on European sites.
- The Natura Impact Statement submitted with the planning application
- The submissions and observations made in connection with the planning application and the submissions on the application.

- The response received from the applicant on the 30<sup>th</sup> of September 2025 in respect of submissions received in respect of the application.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment and the Water Framework Directive
- the planning history of the immediate area, including the permitted solar PV farm on 3 land parcels (PA Reg. Ref. 23/74). This substation development will serve as the grid connection for this generating asset infrastructure,

### **Appropriate Assessment Stage 1**

The Coimisiún completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Planning Inspector's report and submissions on file. The Coimisiún agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Lower River Suir Special Area of Conservation (Site Code 002137) is the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

### **Appropriate Assessment Stage 2**

The Coimisiún considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Coimisiún completed an Appropriate Assessment of the implications of the proposed development for the Lower River Suir Special Area of Conservation (Site Code 002137), in view of the site's conservation objectives. The Coimisiún considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Coimisiún 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 Lower River Suir Special Area of Conservation (Site Code 0021372), in view of the site's conservation objectives.

### **Proper Planning and Sustainable Development**

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have an unacceptable impact on the character of the landscape or on cultural heritage, would not seriously injure the visual or residential amenities of the area including designated views and prospects and scenic routes, would be acceptable in terms of public health and traffic safety, would not have undue impacts on surrounding land uses, would not have an unacceptable impact on ecology or on any European Site, and would make a positive contribution to Ireland's requirements for renewable energy in accordance with national, regional and local policy. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **15.0 Conditions**

- 1 The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and the additional information received by the Coimisiún on the 30th of September 2025, except as may otherwise be required in order to comply with the following conditions.

Where such conditions require details to be agreed with the planning authority, the undertaker shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

- 2 The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

**Reason:** Having regard to the nature of the development and its interdependent relationship to other developments, the Coimisiún considers it appropriate to specify a period of validity of this consent in excess of five years.

- 3 All of the mitigation measures set out in Table 6-1 of the Construction Environmental Management Plan (CEMP), that incorporates mitigation measures from the CEMP, Ecological Impact Assessment Report, Appropriate Assessment Screening Report and Natura Impact Statement, Traffic and Transport Assessment, Landscape Mitigation Plan, Landscape and Visual Assessment, Flood Risk and Drainage Assessment, Geology and Hydrogeology Assessment, Cultural Heritage and Archaeology Assessment, and Noise Assessment, and other particulars submitted with the application, shall be implemented in full by the developer in conjunction with the timelines set out therein except as may otherwise be required to comply with the conditions of this Order.

**Reason:** In the interests of clarity and of the protection of the environment including the integrity of European Sites during the construction and operational phases of the development.

- 4 With reference to the protection of surface waters, the monitoring measures set out in Section 7.1 the Construction Environmental Management Plan, shall be implemented.

**Reason:** To ensure the protection of surface waters.

- 5 The construction of the development shall be managed in accordance with a Final Construction Environmental Management Plan, incorporating a traffic management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall incorporate all mitigation measures set out in the application documentation and provide details of intended construction practice for the development, including:
- (a) Location of site and material compound (s) including areas (s) identified for the storage of construction refuse, site offices, construction parking and staff facilities, re-fuelling arrangements, security fencing and hoardings;
  - (b) a comprehensive construction phase traffic management plan including details of the timing and routing of construction traffic to and from the construction site and associated signage, to include proposals to facilitate the delivery of abnormal or exceptional abnormal loads to the site;
  - (c) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network;
  - (d) details of appropriate mitigation measures for noise and dust, and monitoring of such levels;
  - (e) containment of all construction related fuel and oil within specifically constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater;
  - (f) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;



- (g) means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses;
- (h) an audit list of all construction and operational mitigation measures, their timelines for implementation and responsibility for reporting.
- (i) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of environmental protection, amenities, public health, and safety.

- 6 Access to the site will be via the access from the R687 Regional Road that was permitted as part of the Springmount Solar PV Farm granted permission under ABP-319664-24.

**Reason:** In the interest of clarity and traffic safety.

- 7 The landscaping scheme shown on drawing number LMP02-FI (Mitigation Plan), dated the 9<sup>th</sup> of May 2023, shall be carried out within the first planting season following substantial completion of the construction works.  
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.

**Reason:** In order to screen the development, in the interest of visual amenity.

- 8 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:

- (a) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess and monitor all preparatory works and all site development works,
- (b) investigate areas of archaeological potential by means of geophysical survey and, depending on the findings, carry out test excavations if deemed necessary following consultation with the National Monuments Services,
- (c) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development, and
- (d) submit a report to the planning authority, containing the results of the archaeological investigations and assessment. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation in-situ or by record and protection of any archaeological remains that may exist within the site.

- 9 During the construction phase, the developer shall adhere to the 'Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes', published by the National Roads Authority in 2006. In particular, there shall be no piling of foundations within 150 metres of an active badger sett during the breeding season (December to June) or construction works within 50 metres of such an active sett during the breeding season.

**Reason:** In the interest of wildlife protection.

- 10 Prior to the commencement of development, the developer shall enter into an Agreement with Uisce Éireann (Irish Water) to ensure that its assets are protected from damage during the construction phase of development.

**Reason:** In the interest of public health.

- 11 Prior to the commencement of development, the developer shall agree the exact grid connection details and interactions within the route corridor of the proposed N24 Waterford to Cahir Scheme with the planning authority, including the terms of liability for future costs arising as a result of any requirement to implement an electrical outage and/or cable relocation associated with the grid connection cabling between the proposed substation and the Cahir - Doon 110kV network, which may be required to facilitate the planning, design and delivery of the N24 Waterford to Cahir Scheme. In default of an agreement, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To address the prematurity of the application pending the finalisation of a road layout for the area and to safeguard the Exchequer investment in the planning, design and delivery of the N24 Waterford to Cahir Scheme in accordance with Government policy and investment objectives.

- 12 During the operational phase of the substation, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:
- (j) An  $L_{eqT}$ , value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive. [The T value shall be one hour]
  - (ii) An  $L_{eq,15\text{ min}}$  value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Prior to the commencement of development, the developer shall agree with the planning authority a protocol for the monitoring of noise from electrical apparatus within the sites. This protocol shall include provision for the shielding or removal of any such apparatus in the event of the exceedance of agreed noise limits as perceived at identified receptors.

**Reason:** To protect the amenities of property in the vicinity of the site.

- 13 The developer shall comply with the following requirements:
- a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
  - b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.
  - c) Cables within the site shall be located underground.
  - d) All fencing, gates and exposed metalwork shall be dark green in colour.
- The roofs of the buildings within the substation compound shall be dark grey or black and the external walls shall be finished in neutral colours such as grey or off-white.

**Reason:** In the interest of clarity, of visual and residential amenity.

- 14 All road surfaces, culverts, watercourses, verges, and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority at the developer's expense. Prior to commencement of development, a road condition survey shall be carried out to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to ensure a satisfactory standard of development.

- 15 Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

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.

---

Joe Bonner

Senior Planning Inspector

16<sup>th</sup> of October 2025

## Appendix 1 - Form 1 - EIA Pre-Screening

<b>Case Reference</b>	<b>322205-25</b>
<b>Proposed Development Summary</b>	Proposed 110kV substation, grid connection and associated infrastructure and works
<b>Development Address</b>	townlands of Kilmolash Upper and Rathkeevin, County Tipperary
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here   
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Appendix 2 - Screening for Appropriate Assessment -Test for likely significant effects

### Step 1: Description of the project and local site characteristics

Case File: ABP-322205-25

<b>Brief description of project</b>	<p>Direct application to the Coimisiún under Section 182A of the Planning and Development Act 2000 (as amended) for 110kV substation, grid connection and associated infrastructure and work</p>
<b>Brief description of development characteristics and potential impact mechanisms</b>	<p>It is proposed to construct a 110kV substation and grid connection to facilitate the energisation of a permitted Springmount Solar PV Farm (TCC Pl. Ref. 23/172, ABP Ref. 319664-24).</p> <p>A detailed description of the proposed development is provided in Section 3.0 of the Inspector's report and detailed specifications of the proposal are provided in the AA screening report/NIS and other planning documents provided by the applicant.</p> <p>The site has an overall area of 6.2ha with the proposed substation located to the north, immediately south and west of the permitted solar farm, while the underground cable routes would run first south, then east and then south again for distances of c650m and 730m.</p> <p>In summary the proposed development would consist of (i) 110kV loop-in on-site electrical substation including 2 no. single storey control buildings with welfare facilities, and associated electrical plant and apparatus; (ii) underground electrical cabling connecting the new 110kV loop-in on-site electrical substation to the existing Cahir-Doon 110kV overhead line before reaching 2 no. proposed 16 metre electrical end masts; (iii) Substation compound and cable maintenance track. (vi) Culvert/stream crossing and watermain/service crossing; (vii) Ancillary infrastructure and equipment including access gate, palisade security fencing, lighting columns; and (viii) All associated equipment and ancillary site development works.</p> <p>The Jamestown Stream 16 (Suir_180) runs north to south through the site and is partially culverted, where the proposed underground cabling and access track would cross the stream. The stream continues in a southerly direction along the western boundary of the site, where it flows into the Husseystown River approximately 2.3km downstream, which in turn flows into the River Suir, which is designated as part of the Lower River Suir SAC. The hydrological distance from the site to the River Suir is approximately 6.8km.</p>
<b>Screening report</b>	<p>Yes. (Prepared by MKO)</p>
<b>Natura Impact Statement</b>	<p>Yes. (Prepared by MKO)</p>



<b>Relevant submissions</b>	Tipperary County Council concluded that it is not of the opinion that the proposed development will have a significant negative effect on the ecology of the area and does not represent a significant threat to protected or qualifying species of the nearby Lower River Suir SAC.
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## Step 2. Identification of relevant European sites using the Source-pathway-receptor model

For an effect to occur, all three elements of the source-pathway-receptor mechanism must be in place and the absence or removal of one of the elements of the mechanism means there is no likelihood for an effect to occur. European sites are considered to lie within the Zol of the Proposed Development either due to proximity, hydrological linkage or potential ecological pathways linking to the QIs / SCIs.

Two European sites (SAC's) were identified in the applicant's AA Screening Report as being located within a potential zone of influence of the proposed development, as detailed in Table 1 below. The two European sites included in the initial screening consideration are the only sites located within 15km of the development site and it also sets out the potential linking impact pathways. They also noted that the nearest SPA is located 27km from the site and is outside of the likely Zone of Influence (Zol) of the proposed development. Therefore, no SPAs have been considered, as none have been identified to have hydrological connectivity or proximity to the proposed site.

I have only included those sites that are included in the applicant's Screening Report, as having any possible ecological connection or pathway in this screening determination. There is no ecological justification for consideration of any other European sites.

**Table 1**

<b>European Site (code)</b>	<b>Qualifying interests<sup>1</sup> Link to conservation objectives (NPWS, date)</b>	<b>Distance from proposed development (km)</b>	<b>Ecological connections<sup>2</sup></b>	<b>Consider further in screening<sup>3</sup> Y/N</b>
Lower River Suir SAC [002137]	Freshwater Pearl Mussel, White-clawed Crayfish, Sea Brook and River Lamprey, Twaite Shad, Salmon  Otter  Atlantic and Mediterranean salt meadows, Water courses, Hydrophilous tall herb fringe communities, Old sessile oak woods, Alluvial forests and Taxus baccata woods of the British Isles  <a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>  (March 2017)	Distance: 3.4km  Hydrological Distance: approx. 6.8km	Yes. Hydrological connectivity via the partially culverted Jamestown Stream (Suir_180) that runs through the site and in turn flows into the Lower River Suir SAC.  The underground cabling will cross the culverted stream that runs through the site.  Potential threat to groundwater	Y

			<p>through indirect infiltration of hydrocarbon and cement-based spills into the ground.</p> <p>A potential pathway for indirect effects on otter exists from potential water pollution and ex situ disturbance during the construction of the proposed substation and grid connection.</p>	
Nier Valley Woodlands SAC [000668]	<p>[91A0] Old sessile oak woods with Ilex and Blechnum in the British Isles</p> <p><a href="https://www.npws.ie/protected-sites/sac/000668">https://www.npws.ie/protected-sites/sac/000668</a> (January 2021)</p>	13.2km	<p>Due to the separation distance from the site, there is no potential for indirect effects on the SAC as a result of habitat loss or degradation.</p> <p>No complete source pathway receptor chain for likely significant effect was identified, and the SAC is not within the Likely Zone of Influence. No further assessment is required.</p>	N

<sup>1</sup> Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

<sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

<sup>3</sup>if no connections: N

Baseline ecological surveys were undertaken on 29th of August and 2nd of October 2024.

The October survey timing falls outside the recognised optimum period for vegetation surveys/habitat mapping, i.e. April to September (Smith et al., 2011), however the AA Screening states that all habitats were readily identifiable during the surveys. I do not consider this to be a significant limitation or constraint to the assessment.

### Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development would not result in any direct effects on either of the SAC's in Table 1 above. However, due to the hydrological link to the Lower River Suir SAC and the potential for the presence of otter in or in proximity to the site, the impacts generated by the construction and operation of the proposed development require further consideration.

Sources of impact and likely significant effects are detailed in the Table below.

#### AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<b>Lower River Suir SAC</b> <b>[Site Code 002137]</b> <ul style="list-style-type: none"> <li>• [1029] Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>)</li> <li>• [1092] White-clawed Crayfish (<i>Austropotamobius pallipes</i>)</li> <li>• [1095] Sea Lamprey (<i>Petromyzon marinus</i>)</li> <li>• [1096] Brook Lamprey (<i>Lampetra planeri</i>)</li> <li>• [1099] River Lamprey (<i>Lampetra fluviatilis</i>)</li> <li>• [1103] Twaite Shad (<i>Alosa fallax fallax</i>)</li> <li>• [1106] Salmon (<i>Salmo salar</i>)</li> <li>• 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</li> <li>• [1355] Otter (<i>Lutra lutra</i>)</li> </ul>	<p>Likely significant indirect effects were identified water quality deterioration arising from the construction and operation of the Proposed Development via a direct pathway to the SAC via the Jamestown Stream 16 (Suir_180) that runs through the site and connects to the Husseytown River that in turn flows into the River Suir, c6.8km downstream.</p> <p>Disturbance to the culverted stream during the laying of the underground cable, which will cross either above or below the culverted stream.</p> <p>Potential impact on otter which may utilise the Jamestown stream for foraging and commuting purposes. Therefore, a potential pathway for ex-situ disturbance has been identified for otter populations.</p>	<p>Potential damage to riparian and river habitats associated with inadvertent spillages of hydrocarbons and cement-based products and/or other chemicals during construction phase, leading to potential damage to the habitats and freshwater qualifying interest species dependent on water quality. An impact of sufficient magnitude could undermine the sites conservation objectives.</p> <p>Potential disturbance risks to Otter, a qualifying interest species for the SAC, which could be associated with increased noise, additional lighting and increased human activity at both construction and post construction phases.</p>

<ul style="list-style-type: none"><li>• 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li><li>• [3260] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</li><li>• [6430] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</li><li>• [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</li><li>• [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</li><li>• [91J0] <i>Taxus baccata</i> woods of the British Isles</li></ul>		
	Likelihood of significant effects from proposed development (alone): <b>Yes</b>	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>		
<p>Based on the information provided in the screening report, the site visit, and a review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result in significant effects on the QI's of the Lower River Suir SAC.</p> <p>I concur with the applicants findings that such impacts could be significant in terms of the stated conservation objectives of the Lower River Suir SAC when considered on their own in relation to pollution related pressures and disturbance on qualifying interest habitats and species.</p> <p>It is not possible to exclude the possibility that proposed development alone would result in significant effects on the Lower River Suir SAC from effects associated with the construction of the proposed substation and grid connection.</p> <p>An appropriate assessment is required on the basis of the possible effects of the project 'alone.' Further assessment in-combination with other plans and projects is not required at screening stage.</p>		

## Screening Determination

**Significant effects cannot be excluded**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening report, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Suir SAC [002137] in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The nature and scale of the proposed development/works.
- The hydrological connectivity between the application site and Lower River Suir SAC (002137) and the potential for significant effects on QI habitats and QI species, by way of pollution and deterioration of water quality.
- The potential for significant ex-situ disturbance impacts on QI otter populations.

## Appendix 3: AA and AA Determination

### The Natura Impact Statement

The application includes an 'Appropriate Assessment Screening Report and Natura Impact Statement (NIS)' prepared by MKO dated on the 18<sup>th</sup> of March 2025. The Screening for Appropriate Assessment is addressed in Appendix 2 above and the Appropriate Assessment and AA Determination are set out below.

#### Appropriate Assessment

The requirements of Article 6(3) of the Habitats Directive as related to appropriate assessment of a project under part XAB, section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development as described in Section 2.0 of this report and Section 3.0 of the NIS. In summary, it would consist of a 110kV substation, grid connection, masts and associated infrastructure and works in view of the relevant conservation objectives of the Lower Suir River SAC (Site Code 002137) based on scientific information provided by the applicant.

The information relied upon includes the following:

- Appendix 4 – Environmental Impact Assessment Screening Report
- Appendix 5 – Appropriate Assessment Screening Report and Natura Impact Assessment
- Appendix 6 – Ecological Impact Assessment Report
- Appendix 7 – Noise Assessment
- Appendix 8 – Geology and Hydrogeology Assessment
- Appendix 9 – Flood Risk and Drainage Assessment
- Appendix 13 – Traffic and Transport Assessment
- Appendix 14 – Cultural Heritage and Archaeological Assessment
- Appendix 15 – Outline Construction Methodology
- Tipperary County Development Plan 2022-2028

I note that the baseline ecological surveys were undertaken on 29<sup>th</sup> of August and 2<sup>nd</sup> of October 2024 and the timing of the October survey falls outside the recognised optimum period for vegetation surveys/habitat mapping, i.e. April to September (Smith et al., 2011). However, the AA Screening states that all habitats were readily identifiable during the surveys and that this is not a significant limitation or constraint to the assessment.

Notwithstanding the date of the second survey, I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am also satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and that mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

### Submissions/Observations

Tipperary County Council concluded that it is not of the opinion that the proposed development will have a significant negative effect on the ecology of the area and does not represent a significant threat to protect or qualifying species of nearby SAC's.

### Lower River Suir SAC (SITE CODE 002137):

#### Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Water quality degradation (construction and operational phases) through inadvertent spillages of hydrocarbons and/or other chemicals;
- (ii) Potential for indirect effects on groundwater dependent QU habitats as the site is in an area of high groundwater vulnerability
- (iii) Disturbance of otter through degradation of water quality in Jamestown Stream that may be used for foraging and commuting purposes

See Table 4.1 in NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes	Potential adverse effects NIS SECTION 5.1.1.1	Mitigation measures (summary) NIS SECTION 6.2
[1029] Freshwater Pearl Mussel (Margaritifera margaritifera)	<u>Objective</u> To restore the favourable conservation condition.	Located in a different sub catchment so no connectivity and no effects	None necessary.
[1092] White-clawed Crayfish (Austropotamobius pallipes)	<u>Objective</u> To maintain the favourable conservation condition.  <u>Attributes</u> – Distribution. Negative indicator species. Population. Disease. Water and habitat quality.  <u>Targets</u> No reduction from baseline, habitat heterogeneity or habitat quality. No alien species.	Adverse effect on integrity because of the release of suspended solids and / or other pollutants such as hydrocarbons and cement based products and deterioration of water quality	<b>Construction Phase</b> <u>Site Set-up</u> – all works inside fenced site, temporary compound more than 15m from drainage ditches, chemicals stored, access routes defined, silt fencing down-gradient of works near watercourses.  <u>Pollution prevention</u> – monitor for runoff, all

[1095] Sea Lamprey (Petromyzon marinus)	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u> Extent. Density. Juvenile population structure. Extent and availability of spawning habitat.</p> <p><u>Targets</u> More than 75% of rivers accessible from estuary. At least 3 age/size groups present. No decline in extent and distribution of spawning beds.</p>	during construction and operation.	<p>excavated soil stored more than 50m from watercourses, limited excavation carried out in phases, silt fences, swales, wheel wash and dust suppression.</p> <p><u>Good Hygiene</u> – Biosecurity measures, daily check on machinery and cleaning boots and equipment used in or near watercourses. Pollution or aquatic habitat damage or fuel spills to be reported to IFI, Waterways Ireland and local authorities.</p>
[1096] Brook Lamprey (Lampetra planeri)	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u></p>		
[1099] River Lamprey (Lampetra fluviatilis)	<p>Distribution. Density. Juvenile population structure. Extent and availability of spawning habitat.</p> <p><u>Targets</u> At least 3 age/size groups present. No decline in extent and distribution of spawning beds. Access to all water courses down to first order streams.</p>		<p><u>Refuelling, Fuel and Hazardous Material Storage</u> – designated storage and refuelling areas. Plant regularly checked.</p> <p><u>Spill Control Measures</u> – steps to be taken in the event of a spill.</p> <p><u>Measures to Avoid the Release of Cement Based Material During Construction</u> – precast used where possible, no washing out of trucks on site, pour on dry days, plastic covers for sudden rain events.</p>
[1103] Twaite Shad (Alosa fallax fallax)	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u> Distribution. Extent and distribution of spawning habitat, Population structure/age. Water quality/oxygen levels. Quality of spawning habitat.</p> <p><u>Targets</u> More than 75% of rivers accessible from estuary. More than one age class present. No decline in</p>		<p><u>Waste Management</u> – order as needed, limited packaging, hazardous material kept separate.</p> <p><u>Dust Control</u> – regular cleaning, covered deliveries, wheel wash, road sweeping, speed limit.</p>



	<p>extent and distribution of spawning habitats. Maintain stable gravel substrate with very little fine material, free of macroalgae and rooted higher plants.</p>		<p><u>Noise and Vibration Control</u> – sound proofing, low noise potential machinery, maintenance and shut down when not in use.</p> <p><u>Environmental Monitoring</u></p> <p><u>Vegetation clearance – in line with Wildlife Act</u></p> <p><b><u>Operational Phase</u></b> Wastewater Storage tank will be vented and automatically alarmed to indicate it needs emptying.</p> <p>Infiltration, rainwater harvesting will be sized for surface water runoff.</p>
[1106] Salmon (Salmo salar)	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u> Distribution. Adult spawning fish. Fry abundance. Out migration smolt abundance. No of and distribution of redds. Water quality.</p> <p><u>Targets</u> 100% of river channels down to second order available from estuary. Conservation limit exceeded. Maintain or exceed fry abundance. No decline in smolt out migration. No decline in spawning redds. At least Q4 water quality.</p>		
[3260] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation	<p><u>Objective</u> To maintain the favourable conservation condition.</p> <p><u>Attributes</u> Habitat area and distribution. Hydrological regime. Substratum composition. Water quality. Typical Species. Floodplain Connectivity. Fringing Habitats.</p> <p><u>Targets</u> No decline subject to natural processes. Maintain all other attributes.</p>	<p>Default distribution of this habitat has not been mapped and therefore the total area of qualifying features is unknown. Therefore, there is potential for adverse effects due to deterioration of water quality during construction and operation.</p>	<p>As above</p>
[6430] Hydrophilous tall herb fringe communities of	<p><u>Objective</u> To maintain the favourable conservation condition.</p>		<p>As above</p>

plains and of the montane to alpine levels	<p><u>Attributes</u> Habitat area and distribution. Hydrological regime. Vegetation Composition and structure, physical structure.</p> <p><u>Targets</u> No decline subject to natural processes, maintain appropriate hydrological regime. At least three positive indicator species present. Vegetation cover and height.</p>		
[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i> )	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u> Area and distribution. Woodland size, structure, diversity and regeneration. Vegetation composition.</p> <p><u>Targets</u> No decline subject to natural processes, and no decline in habitat distribution or Woodland Structure.</p>		As above
[1355] Otter ( <i>Lutra lutra</i> )	<p><u>Objective</u> To restore the favourable conservation condition.</p> <p><u>Attributes</u> Distribution. Extent of terrestrial, marine and river habitat. Couching sites and holts. Available fish biomass. barriers to connectivity.</p> <p><u>Targets</u> No significant decline.</p>	While no evidence of otter was found, and the site offers sub-optimal habitat, due to the lack of food resources within the Jamestown Stream and the lack of secluded areas of vegetation, there is potential for adverse effects on the species due to ex-situ	<p><b>Construction Phase</b> Works limited to daytime hours, when otter is least active, with no artificial light used. Machinery limited to site works area and will be maintained to reduce noise, fitted with silencers and fumes controlled. Machinery shut down when idle. Acoustic enclosures around plant used outside normal working hours.</p> <p><b>Operation Phase</b></p>

		disturbance, because of the release of suspended solids and / or other pollutants such as hydrocarbons and cement based products and deterioration of water quality during the construction and operation phases.	No adverse impacts expected.
1330 Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> )	<u>Objective</u> To restore the favourable conservation condition	The QI's are located over 30km downstream, in intertidal waters. No adverse effects anticipated due to scale of proposed development, the separation distance and assimilative capacity of intervening waterbodies.	None necessary
1410 Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )	<u>Objective</u> To restore the favourable conservation condition		
[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	<u>Objective</u> To restore the favourable conservation condition	This is a terrestrial QI habitat with no source-pathway receptor and no adverse effects identified.	None necessary
[91J0] <i>Taxus baccata</i> woods of the British Isles	<u>Objective</u> To restore the favourable conservation condition.		None necessary

The above table is based on the documentation and information provided by the applicant, although I note that the QI objectives for (1330) Atlantic Salt Meadows and (1410) Mediterranean Salt Meadows are incorrectly stated as 'Maintain' when they should have been 'Restore' when assessed against the NPWS Conservation Objectives for the site. However, I am satisfied that this error is not significant as the two QI's habitats are located more than 30km downstream of the site and they were deemed by the applicant to require no further assessment. I agree with the applicant's conclusions in respect of these two QI's.

I also note that the attributes and targets in the NIS for Salmon are in fact the attributes and targets for otter, but I have inserted the correct attributes and targets in the table above.

With the exception of the above identified errors, I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests, and I am also satisfied that the mitigation measures are appropriate and would address any potential adverse impacts on QI's of the Lower River Suir SAC.

### **Assessment of issues that could give rise to adverse effects in view of conservation objectives**

With respect to each of the matters addressed below, I note that Tipperary County Council concluded, having reviewed the NIS, stated that it 'is not of the opinion that the proposed development will have a significant negative effect on the ecology of the area and does not represent a significant threat to protected or qualifying species of the nearby SAC's.

#### **(i) Water quality degradation**

The release of suspended solids and / or other pollutants including hydrocarbons and cement-based products into surface and groundwater during construction have the potential to result in significant negative impacts on species and habitats subject to conservation objectives, where such changes exceed the ranges of tolerance set out in the Site Specific Conservation Objectives.

#### **Mitigation measures and conditions**

The focus of the mitigation measures outlined above is to prevent ingress of pollutants and silt into surface and groundwater and the receiving Jamestown Stream watercourse. I am satisfied that the proposed mitigation measures are adequate to ensure that water quality is not degraded as a result of the proposed development. Mitigation measures related to water quality are captured in proposed planning conditions 3 and 6 of the Inspector's Report.

#### **(ii) Disturbance of mobile species (otter)**

No Otter activity was observed within or directly adjacent to the application site during survey work and the NIS states that the site offers sub-optimal habitat for otter due to the lack of food resources within the Jamestown Stream and the lack of secluded areas of vegetation surrounding the stream. However, the NIS also stated that given the nature of the watercourses running through the site that a precautionary approach should be taken in the form of mitigation, due to the potential for ex situ impacts.

#### **Mitigation measures and conditions**

Proposed mitigation measures are detailed in the table above and in section 6.2.2.1.1 of the NIS. They are to limit working hours to daytime hours, when otter is least active, with no artificial light used and to have acoustic and fume controls on machinery, which should be shut down when idle. Mitigation measures are captured in proposed planning condition 3 in the Inspectors Report.

**In-combination effects**

I am satisfied that in-combination effects have been assessed adequately in section 8 of the NIS, under the heading of Cumulative Effects, where they also refer to in combination effects and to plans and projects set out in Appendix 5.1 to the NIS. I am satisfied that the applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

**Findings and conclusions**

The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, would not adversely affect the integrity of the Lower Suir River SAC on the basis that the development itself would not result in any residual adverse effects on any European Site. I also note that in granting permission for the solar farm, with which the proposed substation and grid connection are associated, the Coimisiún concluded that it was satisfied that the proposed solar farm, by itself or in combination with other plans or projects, would not adversely affect the integrity of the Lower Suir River SAC, in view of the sites conservation objectives.

Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for the Lower River Suir SAC (002137) as considered in the NIS. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt or hydrocarbon laden surface water into the Jamestown Stream that in turn flows into the Lower River Suir SAC c6.8km downstream. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented through conditions, if permission is granted. No in-combination effects are envisaged.

**Reasonable scientific doubt**

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

**Site Integrity**

The proposed development will not affect the attainment of the Conservation objectives for the Lower River Suir SAC (002137).

**Appropriate Assessment Conclusion: Integrity Test**

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lower River Suir SAC (002137) in view of the conservation objectives of the site and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS and all associated material submitted and taking into account the submission of Tipperary County Council, I consider

that adverse effects on the site integrity of the Lower River Suir SAC (002137) can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- An assessment of in-combination effects with other plans and projects.
- No significant effects on the qualifying interests of European sites or supporting habitats, arising from the project.
- The proposed development will not affect the attainment of conservation objectives for the Lower River Suir SAC (002137) or prevent or delay the restoration of favourable conservation condition restoration of favourable conservation condition for identified Qualifying Interests.
- The effectiveness of mitigation measures proposed in the NIS.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Lower River Suir SAC (002137).

## Appendix 4 - WFD Impact Assessment Stage 1: Screening

### Step 1: Nature of the Project, the Site and Locality

<b>An Bord Pleanála ref. no.</b>	<b>ABP-322205-25</b>	<b>Townland, address</b>	townlands of Kilmolash Upper and Rathkeevin, County Tipperary
<b>Description of project</b>		Proposed 110kV substation, grid connection and associated infrastructure and works.  The NIS makes reference to some information relating to the WFD.	
<b>Brief site description, relevant to WFD Screening,</b>		The site is located entirely within county Tipperary and extends for a distance of c400m from the substation at the northern end of the site to the two 16m high masts where the underground cable would connect to the Cahir-Doon 110kv overhead line.  The site is located in the Suir_180 River Sub-basin (with the stream running through the site described in the NIS and Ecological Impact Assessment Report as the Jamestown Stream) which runs along part of the southeastern part of the site and runs from north to south. Part of the stream has been	

	culverted as it runs through the site. In turn the streams of the Suir_180 flow into the Lower River Suir c6.8km downstream of the site.
<b>Proposed surface water details</b>	<p>Temporary drainage facilities will be set up alongside the creation of the site compound and access tracks to eliminate any suspended solids within surface water running off the site. They will be in the form of collector drains or shallow swales, downgradient of the access tracks and interceptor drains upgradient of the works to and overland flow of water reaching works areas. In addition, 10m buffer zones will be put in place to separate construction from open water and silt fencing will also be installed.</p> <p>For the operational phase, a controlled drainage system is proposed and is detailed in the CEMP in Appendix 2 and in Section 5 of Appendix 9 'Flood Risk and Drainage Assessment'. It includes that run-off from the substation is proposed to be dealt with locally via infiltration and rainwater harvesting, detail of which are provided in drawing (05847-DR-019).</p>
<b>Proposed water supply source &amp; available capacity</b>	The site will have a low occupancy and usage as it will typically be unmanned and operated remotely. A cooler system will supply drinking water to the substation. In addition, rainwater harvesting is proposed for provide for operational water demand (e.g. toilet cisterns). This is detailed in section 2.5.3.1 of the CEMP.



<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>			During construction waste facilities will be setup within the temporary site compound and will be services weekly by a waste contractor, or as needed.  During the operational phase, wastewater will not be treated on site but will be stored in a full retention foul wastewater tank and collected by an approved waste collector when necessary. It will be vented and will be fitted with an automatic alarm to alert that it requires emptying. This is detailed in section 2.5.3.2. of the CEMP.			
<b>Others</b>			Not applicable			
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>						
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>

River Waterbodies						
River Waterbody  (EPA Water Quality Report 2019-2024)	0m	Suir_180 (IE_SE_165022400)	Good (Monitoring)	Not At risk	No pressures	The Jamestown Stream runs along the southwestern side of site close to where the underground cabling would run. The cabling would also cross either over or under part of the culverted stream.
Groundwater Bodies						
Groundwater waterbody (EPA Water Quality Report 2019-2024)	Underlying the entire site	Clonmel (SE_G_040)	Good	At risk	Agriculture & Anthropogenic Pressures identified -	Poorly drained soils.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface - Stream	Suir_180 (IE_SE_165022400)	Existing drainage ditches, watercourse running through site.	Siltation from excavation, sedimentation and surface water runoff of hydrocarbons and cement-	Standard construction mitigation measures set out in NIS and CEMP to protect water quality, and surface water and to	No, due to small scale and shallow depth of the works close to the Jamestown Stream and implementation of mitigation measures.	Screened out as no residual risk remains following implementation of mitigation measures.
2.	Ground	Clonmel (SE_G_040)					

				based spillages.	prevent the release of hydrocarbons and cement-based products.		
<b>OPERATIONAL PHASE</b>							
3.	Surface	Suir_180 (IE_SE_165022400)	Existing Jamestown Stream / watercourse	Stormwater runoff	SUDs features	No	Screened out as no residual risk remains following implementation of mitigation measures.
4.	Ground	Clonmel (SE_G_040)	Pathway exists but poor soil drainage characteristics	Stormwater runoff	SUDs features	No	
<b>DECOMMISSIONING PHASE</b>							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A