



An
Coimisiún
Pleanála

Inspector's Report

ABP-322423-25

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Development	The proposed development will consist of an application for the construction of, development consisting of a 215-hectare solar farm and all other site works. A Natura Impact Statement will also be submitted to the Planning Authority
Location	the townlands of Ballymacoll Little Boolies Nuttstown, Ballintry Belgree Rowan and Kinoristown , Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460742
Applicant	Soleire Renewables Holdings Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	First Party
Appellants	Soleire Renewables Holdings Limited
Observer(s)	Joan and Kevin Farrell
Date of Site Inspection	02 September 2025
Inspector	Hugh O'Neill

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Contents

1	Introduction	3
2	Site Location and Description	3
3	Proposed Development	4
4	Planning Authority Decision	6
5	Planning History	9
6	Policy Context	11
7	The Appeal	20
8	Assessment	22
9	EIA Screening	27
10	Water Framework Directive (WFD)	28
11	Appropriate Assessment	29
12	Recommendation	30
13	Reasons and Considerations	31
14	Conditions	34
	Appendix 1 EIA	46
	Appendix 2 AA	57
	Appendix 3 Water Framework Directive Assessment Screening	69

1 Introduction

The following report relates to a First Party appeal against a condition attached to a Notification of Decision to Grant Permission from Meath County Council for development of a solar farm.

A third-party appeal against the decision to grant was lodged 30/04/25 and was withdrawn 03/06/25. ~~(what date was it withdrawn~~

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An observation relating to that ~~now withdrawn~~ third-party appeal was lodged 21/05/25 and remains on file.

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Notwithstanding the withdrawal of the third-party appeal this report **addresses** considers grounds raised in that observation.

2 Site Location and Description

The application site is located in 2 distinct parcels within the townlands Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree, Rowan and Kinoristown, circa 2km east of the M3 Motorway, 2km west of Kilbride and 3.2km northeast of Dunboyne town centre. The 2 parcels are connected by a proposed cable route of circa 700m within public road L5021 which is within the application boundary.

The site has a stated area of 215 hectares consisting of generally low lying land currently primarily in use for intensive pasture/tillage. The site consists of a number of large generally level fields defined by boundary vegetation in the form of hedgerows and treelines of varying density and condition, some of which also contain field drains.

The Ward River and Pinkeen Stream drain the wider area. The River Pinkeen flows through the southern land parcel. The River Ward bounds the northern portion along its northern boundary.

There are a number of dwellings located along the public road network which adjoin the site.

There are 10 no. recorded monuments within the boundary of the site and no protected structures within or in the immediate vicinity of the site.

There are high voltage overhead lines in close proximity, and the permitted 400kv underground East Meath to North Dublin Grid Upgrade line overlaps a portion of the southern parcel.

The application site contains or is bounded by approximately 10km of extant historic Townland boundaries of varying condition. The southeastern boundary of the southern parcel coincides with the Meath Fingal County boundary.

3 Proposed Development

10-year planning permission is sought for construction, 40-year operation and subsequent decommissioning of, a 215-hectare solar farm (red line boundary) on two separate land parcels connected by a local road. The solar farm is proposed to consist of solar photovoltaic (PV) panels, mounted on steel support structures which in some areas are to be mounted on concrete shoes to protect possible underground archaeological features.

A total estimate of 373,104 individual panels rated at 625 Watts are proposed yielding a total maximum potential output in the region of 233 Mega Watt potential (MWp).

The application states that the grid connection will be subject to a SID application and will be contained within the site. Indicative locations for main transformers and cable routes have been provided.

Modification of an existing farmyard entrance from the L1010 is proposed to access the primary construction compound within the southern parcel. Access to the northern parcel is proposed via an existing access from the L5021 in the southeastern corner.

At its maximum height, the PV assembly will stand approximately 2.37m above ground level.

Panel arrays will be connected to each other and to the 28 electrical transformation enclosures, (5.6m L x 2.5m W x 2.885m H) by underground cabling.

It is proposed to construct 2.75m high galvanised steel CCTV poles and cameras colour coated green at approximate 35m intervals, with 2.3m high deer type fencing to the boundary of the site.

Landscaping and biodiversity measures with a focus on screening of views are proposed to varying levels of detail. Vegetation control is stated to be possibly by way of livestock grazing. A continuation of arable use in the overhead line exclusion zones is proposed.

The application was accompanied by the following listed documents and information:

- Planning statement incorporating Environmental Considerations
- Archaeological Impact Assessment
- Construction and Environmental Management Plan
- Ecology Reports
- Landscaping Management Plan
- Landscape and Visual Assessment
- Noise Assessment
- Glint and Glare Assessment
- Transport Management Plan
- Flood risk Assessment
- Screening for EIA
- Statement of Community Consultation
- High-Level Electromagnetic Field Assessment

Following Meath County Council's further information request dated 07 November 2024, a response was received on 29 January 2025. This included the following information:

- Response to request for further information cover letter/report
- Response to request for further information item 12 (third parties)
- Environmental Noise Assessment
- Outdoor Lighting report
- Breeding Bird Survey
- Transport RFI report

- Archaeology, Architecture and Cultural Heritage Report
- Solar Development Photomontage Report
- Natura Impact Statement
- Electrical Fire risk Assessment

4 Planning Authority Decision

4.1 Decision

Notification of the decision to grant planning permission subject to 23 conditions was issued by Meath County Council by Order dated 10/04/2025.

Conditions are generally of a standard nature; however, condition no. 9 to which the first party appeal relates is as follows:

(a) Prior to the Commencement of development on the site the applicant shall submit a revised site layout plans for the written agreement of the Planning Authority, showing all essential infrastructure including Solar panels to be located outside Flood Zones A and B on the site.

(b) The applicant shall implement all recommendations from the further information response into the proposed development submitted on the 29/01/2025.

(c) Any proposed culverts, crossings, watercourse diversions or amendments to same shall require Section 50 consent from the OPW and such written consent shall be submitted to the Planning Authority prior to the Commencement of any development on the site.

Reason: In the interest of flood risk prevention

4.2 Planning Authority Reports

There are 2 no. Planner's reports on file which inform the decision which are summarised as follows:

4.2.1 1st Planner's Report dated 05 November 2024

Having set out the physical and policy context, and taking into account the submissions from prescribed authorities, internal consultees and third parties the

planner report concluded that the proposal was acceptable in principle. However, a number of points requiring Further Information were identified as follows:

- separation distances between panel arrays and residential units.
- deficiency in design of entrances and traffic management plan to accommodate HGV access.
- cable routes between the 2 land parcels.
- flood risk and vulnerability of solar arrays.
- outcome of breeding bird surveys not submitted.
- further visual impact assessment required.
- electrical fire risk assessment.
- Uisce Éireann Diversions.
- Water Framework Directive impact assessment.
- tonality assessment for noise impact.
- construction phase lighting plan.
- surface water treatment and disposal.

4.2.2 Planner's 2nd Report dated 09 April 2025

The response to the further information request, external and internal reporting and submissions are described and assessed in the second planners report. The FI responses were generally deemed to address the concerns described in the first planners report. The following is a summary of the main issues considered therein and of particular relevance to this report.

The report concludes on the basis of reporting from the Environment Department of MCC that the placing of solar panels in flood zones A and B is unacceptable to the planning authority and recommends that they be removed by condition.

The planner report acknowledges the impact on rural character but concludes that the landscape and visual impact individually and cumulatively with other existing and permitted solar developments is within the carrying capacity of the landscape and is not inconsistent with policy of the CDP.

Increased separation of panels from the closest residence is welcome.

The proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s).

An Environmental Impact Assessment is not required.

The report concludes with a recommendation to grant permission subject to 23 conditions.

4.2.3 Other Technical Reports – Meath County Council Internal Departments MCC Transportation Department,

Report dated 1st November 2024 seeks FI re: entrances, traffic management and proposed cable route.

Report 7th March 2025, states, no objection subject to 2 standard conditions.

Environment/Flooding/Surface Water Section

Report of 04/11/2024 disagrees with the submitted SSFRA and the conclusion therein that locating Solar Arrays within flood zones A and B is not inconsistent with The Planning System and Flood Risk Management, Guidelines for Planning Authorities. Absence of details for culverts/crossings and soakaways, noted. Concludes with a recommendation for FI on these points.

Report of 08/04/2025 no objection subject to a condition removing panels from flood zones A and B.

Environment Waste Section

Report 31/10/2024 no objections

Public Lighting

Report undated, FI sought due to no detail on lighting.

Second undated report. No Objection

4.3 Prescribed Bodies

4.3.1 Inland Fisheries Ireland

- Located in the catchment of a Salmonoid system.

- Impact on water quality by avoidance and as a secondary approach through mitigation.
- Riparian vegetation should be retained in as natural a state as possible at all times.
- Any river or stream manipulation works (bridging, culverting or otherwise) must first be submitted to IFI for consultation and approval.

4.3.2 Health Service Executive (Principal Environmental Health Officer)

Standard type conditions recommended for mitigation and monitoring of noise and nuisance. Recommendation for implementation of a complaints procedure.

4.3.3 Uisce Éireann

No objection. Standard conditions provided.

4.3.4 Department of Housing, Local Government and Heritage

Following evaluation of the Archaeological Report submitted as Further Information the Department recommend standard conditions relating to Archaeological Mitigation and Monitoring for inclusion in any grant of permission arising.

4.3.5 Dublin Airport Authority

No comment. Consultation with AirNav Ireland and IAA recommended.

4.4 Third Party Observations

The planning authority received 38 no. third party submissions on the original application. 10 submissions were received in response to the Further Information Response (deemed significant).

5 Planning History

5.1 Subject Site

216: Kevin Gleeson — GRANTED - the development consists of/will consist of (a) retention of existing grain store and air tunnel, machinery shed, office portacabin, concrete yard including weighbridge and entrance road (b) new general purpose store building incorporating PV panels to roof to south-east side of existing buildings (c) new toilet facilities located within existing machinery shed (d) new wastewater treatment system and percolation area (e) all associated site works.

AA171502: ~~Patrick Gleeson~~ GRANTED - closing of existing agricultural entrance and construction of a new agricultural entrance to the west of existing together with all associated works. The subject development proposes to utilise this entrance with modification proposed.

DA60369: ~~Kevin Gleeson~~ REFUSED - a development which will consist of the construction of a 2 storey, 5 bedroom house with a biocycle treatment unit and new vehicular entrance.

ABP-319422-24 ~~airgrid~~ development of a 400 kV underground cable along the roadway passing between the 2 parcels of land and overlapping the southern parcel and crossing the Pinkeen River within the southern parcel of the subject application <https://www.eirgrideastmeathnorthdublin.ie/> Approved with conditions.

5.2 Other Utility Solar Developments

Permitted by ABP within 5km radius of subject site.

~~ABP-301023-18~~ ABP-301023-18, 85.3 Ha, Fidorfe, Grange and part of Rathoath Manor, Co. Meath

~~ABP-301151-18~~ ABP-301151-18, 54.57 Ha, Harlockstown, Ashbourne, Co. Meath.

~~ABP-311066-21~~ ABP-311066-21, 82.5 Ha, On Lands Including Mullinam, Paddock & Loughlinstown, Ratoath, Co. Meath

~~ABP-311831-21~~ ABP-311831-21, 265.8 Ha, Kilrue, Fleenstown Great, Peacockstown & Harlockstown Townlands, Kilbride, Co. Meath

~~ABP-317846-23~~ ABP-317846-23, 61.1 Ha, Irishtown, Spricklestown, Ward Lower, The Ward, Co. Dublin

5.3 Other planning history cases highlighted by First Party

The following cases are presented as precedent for consenting of solar panels subject to a flood risk.

~~ABP-301994-18~~ ABP-301994-18, Solar Photovoltaic (PV) farm, Co. Cork Third party -v- Decision. Panels permitted over flood zone.

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~~ABP-305992-19~~**ABP-305992-19**, Solar PV Energy development, Co.Westmeath.
Third Party against permission First Party against condition. Panels permitted over flood zone.

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~~ABP-311460-21~~**ABP-311460-21**, solar farm Co Meath First Party v Condition No.
10(i). Third Parties v Grant of Permission. Panels permitted over flood zone.

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~~ABP-320755-24~~**ABP-320755-24** solar farm and underground grid connection route
Co. Meath. Third and First party appeal. Panels permitted over flood zone.

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6 Policy Context

6.1 European

EU, National and Regional policy with regard to renewable energy and infrastructure generally supports proposals for renewable energy including its connectivity to the national power grid.

EU Directive 2009/28/EC and Directive 2018/2001/EU (Renewable Energy)

Promotes and sets out legally binding targets for renewable energy.

European 2020 Strategy for Growth, Sets out targets for renewables and greenhouse gas emissions.

EU 2030 Climate and Energy Framework A longer-term framework to cut greenhouse emissions and renewable energy.

EU Energy Roadmap 2050 sets out options to achieve above referenced goals.

REPowerEU Plan May 2022 phase out dependency on Russian energy as a matter of urgency.

6.2 National Policy and Legislation

6.2.1 Climate Action and Low Carbon Development Act, 2015, as amended.

The Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade. Section 17 of the Climate Action and Low Carbon Development (Amendment) Act, 2021 amends the principle act such that Section 15(1) requires:

“(1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

the most recent approved climate action plan,
the most recent approved national long term climate action strategy,
the most recent approved national adaptation framework and approved sectoral adaptation plans,
the furtherance of the national climate objective, and
the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State”.

“Relevant body” means a prescribed body or a public body.

6.2.2 Climate Action Plan 2025 (2024)

Under the Climate Action and Low Carbon Development Act, 2015, as amended, Irelands national climate objective requires the State to transition to a resilient, biodiversity rich, environmentally sustainable and climate neutral economy by no later than the end of 2050. This national climate objective meets Irelands obligations under EU and international treaties, including the Paris Agreement (2015), the European Green Deal and the EU's objective to reduce GHG emissions by at least 51% by 2030 (compared to 2018) and achieve climate neutrality by 2050.

To meet its targets and obligations CAP 24 set a course for Ireland to halve emissions by 2030 and reach net-zero no later than 2050. In terms of the electricity sector a 75% reduction in emissions based on 2018 levels is required by 2030 and CAP 24 provides that central to achieving this is the strategic increase in the share of renewable electricity to 80% by 2030 including ambitious targets of deploying 8GW of solar power. CAP 2025 was published on 15th April, 2025. It re-affirms the previous commitment to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5GWs by 2025 and 8 GWs by 2030.

6.2.3 Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024

The National long-term Climate Action Strategy, entitled Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, sets out indicative pathways,

beyond 2030, towards achieving carbon neutrality for Ireland by 2050. The Strategy provides a pathway to a whole-of-society transformation and serves as a vital link between shorter-term Climate Action Plans and Carbon Budgets and the longer-term objective of the European Climate Law and Ireland's National Climate Objective.

6.2.4 The National Adaptation Framework; Planning for a Climate Resilient Ireland (June 2024)

The most recent approved national adaptation framework, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 (NAF) is Ireland's second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF and its successors do not identify specific locations or propose adaptation measures or projects in individual sectors, but sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making. The NAF identifies 13 (previously 12) priority sectors under 7 lead Departments that are required to prepare sectoral adaptation plans under the Climate Act in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation which were published in 2018 and updated in 2024. The original 12 sectoral Plans prepared in 2019 and a new sectoral Plan for tourism are to be updated/prepared by end of Q3 2025. The following Electricity and Gas Sectoral Plan is relevant to the subject proposal.

6.2.5 Electricity and Gas Sectoral Plan 2019 (consultation draft 2025)

The Draft second Electricity and Gas Networks Climate Change Sectoral Adaptation Plan (EGN SAP 2025) which builds upon the EGN SAP 2019 to strengthen the resilience of the EGN Sector to the challenges posed by climate change is subject to consultation at the time of writing this report.

The aim of the Plan is to address the risks posed by climate change to the electricity and gas networks. The plan focuses on identifying vulnerabilities such as extreme weather and changing temperature patterns and how they could affect the electricity and gas networks. Specific measures to minimise the potential negative effects of

climate change are outlined including the strengthening of the grid and ensuring reliable gas supply. The Plan also seeks to exploit opportunities and the potential benefits arising from climate change adaptation such as increased energy efficiency and the development of new renewable energy sources.

6.2.6 Climate Change Sectoral Adaptation Plan for Flood Risk Management, 2019

The Climate Change Sectoral Adaptation Plan for Flood Risk Management sets out the policy on climate change adaptation of the Office of Public works (OPW) by the OPW, the lead agency for flood risk management in Ireland. The Plan is based on a current understanding of the potential consequences of climate change for flooding and flood risk in Ireland, and the adaptation actions to be implemented by the OPW and other responsible Departments and agencies in the flood risk management sector. A 2025 draft of this plan is currently in preparation following public consultation.

6.2.7 Project Ireland 2040: National Planning Framework (NPF), First Revision of the NPF and the National Development Plan (NDP 2021-2030)

Project Ireland 2040 is the Government's long-term overarching strategy to make Ireland a better country for all and to build a more resilient and sustainable future. The NPF and the NDP combine to form Project Ireland 2040. The NPF sets out to deliver a spatial strategy through a set of National Strategic Outcomes ("NSO's"), including: 'Transition to a Low Carbon and Climate Resilient Society' which establishes a national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050. The first revision of the NPF has been approved by both Houses of the Oireachtas, following the decision of the Government to approve the final revised NPF on 8th April, 2025. The 'First Revision' introduces regional renewable electricity capacity allocations for each of the three Regional Assemblies to be achieved by 2030 which for the Eastern and Midland Regional Area is an additional 3,294MW, for solar PV or 45% of the National share in 2030. This is the minimum required for solar generation to meet the 2030 emission reductions in the electricity sector. The NDP 2021-2030 sets out the investment priorities that will underpin the implementation of the National Planning

Framework, through a total investment of approx. €116 billion. It recognises that Ireland's energy system requires radical transformation in order to achieve its 2030 and 2050 targets and objectives. It recognises that investment in renewable energy sources affords Ireland an opportunity to decarbonise our energy generation, but that this must be complemented by wider measures to moderate growth in energy demand, increase energy security, diversify supply sources and facilitate more variable electricity generation on the grid.

6.2.8 National Biodiversity Action Plan 2023 – 2030 (NBAP)

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows, Objective 1 Adopt a whole of government, whole of society approach to biodiversity; Objective 2 Meet urgent conservation and restoration needs; Objective 3 Secure nature's contribution to people; Objective 4 Enhance the evidence base for action on biodiversity; Objective 5 Strengthen Ireland's contribution to international biodiversity initiatives.

6.2.9 National Energy Security Framework (April 2022)

The Framework addresses Ireland's energy security needs in the context of the war in Ukraine. It coordinates energy security work across the electricity, gas and oil sectors. The Framework takes account of the need to decarbonise society and the economy, and of targets set out in the Climate Action Plan to reduce emissions. Theme 3 - Reducing our Dependency on Imported Fossil Fuels, focusses on three areas of work:

- Reducing demand for fossil fuels.
- Replacing fossil fuels with renewables, including solar energy.
- Diversifying fossil fuel supplies.

Under 7.2, the statement notes that prioritising renewables is in line with the requirements of the recast Renewable Energy Directive and the EC REPowerEU action statement. The Commission has called on Member States to ensure that renewable energy generation projects are considered to be in the overriding public interest, and the interest of public safety, and the Government supports this request.

6.2.10 The Planning System and Flood Risk Management, Guidelines for Planning Authorities 2009

Guidelines jointly developed by the Department of Environment, Community and Local Government (DECLG) and the OPW, published under Section 28 of the Planning Acts. These Guidelines provide a systematic and transparent framework for the consideration of flood risk in the planning and development management processes.

6.3 Regional Planning Policy

The **Eastern & Midland Regional Economic and Spatial Strategy, 2019-2031** seeks to enhance climate resilience and to accelerate a transition to a low carbon society.

RPO 10.20: Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process.

6.4 Local Planning Policy - Meath County Development Plan 2021-2027

The current Meath County Development Plan (2021-2027) was adopted on 22nd of September 2021 and came into effect on 3rd of November 2021 and was subsequently varied. Consolidated version including Variations 1 & 2 was adopted on the 13th May 2024, this is the version presented on the Meath.ie website at the time of writing and was the version utilised for the purpose of this report.

Chapter 6 Infrastructure Strategy

A major function performed by floodplains, wetlands and coastal areas is to hold excess water until it can be released slowly back into a riverine system or the sea, or seep into the ground as a storm or tidal surge subsides. Vulnerable floodplains, wetlands and coastal areas should, therefore, be identified and preserved to the maximum extent possible, in both urban and rural areas, as “Green Infrastructure”.

INF POL 19 To implement the findings and recommendations of the Strategic Flood Risk Assessment prepared in conjunction with the County Development Plan review, ensuring climate change is taken into account.

INF POL 21,22, 27, and 28 set out policies to protect drainage and consult with OPW in the event of works in drainage schemes such as crossings or works in floodplains.

INF OBJ 23 To protect and enhance the County's floodplains, wetlands and coastal areas subject to flooding as "green infrastructure" which provide space for storage and conveyance of floodwater, and ensure that development does not impact on important wetland sites within river/stream catchments.

INF OBJ 28 To ensure that proposals for the development of solar farms located within areas identified as being within Flood zones A or B are subject to a Site-Specific Flood Risk Assessment as per the Planning System and Flood Risk Management Guidelines 2009 for Planning Authorities (or any updated guidelines).

INF POL 34 To promote sustainable energy sources, locally based renewable energy alternatives, where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity, natural and built heritage, residential or local amenities.

INF POL 35 To seek a reduce greenhouse gas emissions through energy efficiency and the development of renewable energy sources utilising the natural resources of the County in an environmentally acceptable manner consistent with best practice and planning principles.

INF OBJ 14 To require the use of SuDS within Local Authority Developments and other infrastructural projects in accordance with the Greater Dublin Regional Code of Practice for Drainage Works.

INF OBJ 23 To protect and enhance the County's floodplains, wetlands and coastal areas subject to flooding as "green infrastructure" which provide space for storage and conveyance of floodwater, and ensure that development does not impact on important wetland sites within river/stream catchments.

INF OBJ 38 To establish riparian corridors free from new development along all significant watercourses and streams in the County as follows: -A 10 metre wide riparian buffer strip measured from the top of the bank either side of all watercourses

in urban areas; - A 30m wide riparian buffer strip from top of bank to either side of all watercourses is required as a minimum outside of urban areas.

INF OBJ 39 To support Ireland's renewable energy commitments outlined in national policy by facilitating the development and exploitation of renewable energy sources such as solar, wind, geothermal, hydro and bio-energy at suitable locations within the County where such development does not have a negative impact on the surrounding environment (including water quality), landscape, biodiversity or local amenities so as to provide for further residential and enterprise development within the county.

The Council is responsible for maintaining, improving, enhancing and protecting the ecological quality of all waters in the County by implementing pollution control measures, licensing of effluent discharges, implementing and monitoring compliance with environmental legislation and drawing up pollution contingency measures on a local and regional level. This role is likely to become even more critical as changes in water availability are predicted as an outcome of climate change.

INF POL 43 To require that development proposals in respect of solar panel photovoltaic (PV) arrays in the vicinity of Dublin Airport shall be accompanied by a full glint and glare study to assess the potential impact upon aviation safety (Refer to Chapter 5 Movement, Section 7.11, Aviation Sector).

Chapter 8 Cultural and Natural Heritage Strategy

HER OBJ 4 To encourage the management and maintenance of the County's archaeological; heritage, including historic burial grounds, in accordance with best conservation practice that considers the impact of climate change.

HER POL 27, 28, 30, 31, 35 seek protection of Biodiversity.

HER POL 37 To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where practically possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required.

HER POL 47 To protect the ecological, recreational, educational, amenity and flood alleviation potential of navigational and non-navigational waterways within the County, towpaths and adjacent wetlands.

HER POL 48 To manage, enhance and protect the wetlands of the County having regard to the 'County Meath Wetland Survey 2010' and ensure that there is an appropriate level of assessment in relation to proposals which would involve draining, reclaiming or infilling of wetland habitats.

HER OBJ 48 To support the aims and objectives of the European Landscape Convention by implementing the relevant objectives and actions of the National Landscape Strategy 2015-2025 and any revisions thereof.

HER POL 52 To protect and enhance the quality, character, and distinctiveness of the landscapes of the County in accordance with national policy and guidelines and the recommendations of the Meath Landscape Character Assessment (2007) in Appendix 5, to ensure that new development meets high standards of siting and design.

HER OBJ 49 To ensure that the management of development will have regard to the value of the landscape, its character, importance, sensitivity and capacity to absorb change as outlined in Appendix 5 Meath Landscape Character Assessment and its recommendations

HER OBJ 56 To preserve the views and prospects listed in Appendix 10, in Volume 2 and on Map 8.6 and to protect these views from inappropriate development which would interfere unduly with the character and visual amenity of the landscape.

HER OBJ 60 To encourage, pursuant to Article 10 of the Habitats Directive (92/43/EEC), the management of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

The **Meath Climate Action Strategy** was adopted in September 2019 and progressed through the **Climate Action Plan 2024 – 2029**.

6.5 Natural Heritage Designations

The River Ward, a designated Salmonoid river passes through the northern portion of the site. The Ward forms the northern boundary of the northern portion of the site

and has a resident population of Brown Trout. The Ward River provides a direct hydrological connection to Malahide Estuary (SAC, SPA and pNHA). The Pinkeen discharges, and therefore provides a direct hydrological connection, via the Tolka to Dublin Bay North (SAC, SPA and pNHA).

There are 10 Monuments Recorded on the sites and monuments record within the application boundary.

The site falls within the Ward Lowlands Landscape Character Area with low value and high sensitivity.

7 The Appeal

For the benefit of ~~the Commission~~ An Coimisiún, ~~I have provided the following by way of a~~ is the timeline of the subject appeal.

<u>Notification of the decision to grant</u>	<u>10/04/25</u>
<u>Third party appeal lodged</u>	<u>30/04/25</u>
<u>First party appeal against a condition lodged</u>	<u>06/05/25</u>
<u>Observation/submission lodged</u>	<u>21/05/25</u>
<u>Third party appeal withdrawn</u>	<u>03/06/25</u>

Notification of the decision to grant 10/04/25

Third party appeal lodged 30/04/25

First party appeal against a condition lodged 06/05/25

Observation/submission lodged 21/05/25

The third party appeal withdrawn 03/06/25

7.1 Grounds of Appeal

As ~~noted at the outset~~, an observation to the withdrawn appeal remains on file, ~~and remains and~~ issues raised therein ~~will~~ are be considered in the assessment below.

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7.1.1 First Party

This is an appeal against condition no 9 which at subsection a) ~~restricts~~ requires a revised proposal removing panels from areas categorised as Flood zones A and B, as follows:

Prior to the Commencement of development on the site the applicant shall submit a revised site layout plans for the written agreement of the Planning Authority, showing all essential infrastructure including Solar panels to be located outside Flood Zones A and B on the site.

Grounds of the first party appeal are summarised as follows:

- Precedent. Solar panels have been permitted over flood risk including in ABP-311460-21, ABP-305992-19, ABP-301994-18, and ABP-320755-24.
- Classification of Power stations, transformers/inverters and substations as essential infrastructure and therefore as highly vulnerable to flooding in *The Planning System and Flood Risk Management, Guidelines for Planning Authorities* is acknowledged. However, the absence of solar panels from this list is noted. Development types not listed should be considered on their merits.
- The design of the proposal takes account of the flood risk as follows:
 - In any location subject to a predictive flood depth of less than 0.7m in a 0.1%AEP event the panels are to be mounted with the lowest edge of the panel 0.7 to 1.5 m above ground level.
 - In any location subject to a predictive flood depth which exceeds 0.7m in a 0.1%AEP event no panels are proposed.
- Only the small diameter frame supports/piles are proposed at ground level within the flood zone which will not impede conveyance or displacement of floodwaters.
- Ground beneath the panels remains permeable resulting in no net increase in discharge rate or runoff volumes from the site.
- All transformers, invertors and other electrical equipment are proposed outside the 0.1%AEP event extent.

- Justification for classification of solar panels as essential infrastructure in consideration of the flooding guidelines has not been offered at any stage of engagement between the developer and the Planning Authority including at pre-planning.

7.2 Applicant Response

The third-party appeal was withdrawn. There is no applicant response.

7.3 Planning Authority Response

The planning authority considers that all matters raised in both the first and third party appeals were addressed in the course of the Planning Authority assessment and decision. The planning authority request that An Coimisiún uphold the decision.

7.4 Observations

The observation is set out in the context of the now withdrawn 3rd party appeal. The main points made are summarised as follows:

- View from observers' property was not considered as part of the LVIA submitted at FI notwithstanding the wording of the Planning Authority request.
- Loss of view will result from enhanced hedgerow planting.
- Property devaluation concerns not addressed in the assessment/decision.
- Strategic level of assessment required due to number of solar farms in the area not considered.
- Transparency of the planning system is undermined by agreements between developer and the residents of the area.

The submission to the Planning Authority by the observer at FI stage is appended to the observation.

8 Assessment

Having examined the application details and all other documentation on file, including the observation received, having inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider the substantive issues for consideration to be as follows:

- Principle of Development
- Landscape and Visual Impact Assessment, Impact to Residential and Visual Amenities
- Devaluation of property
- Strategic level of assessment, cumulative assessment
- Transparency of the planning system
- Flooding.

8.1 Principle of Development

Policy provision at all levels, as set out in section 6 of this report support and promote the principle of development of renewable energy projects, including solar subject to environmental carrying capacity.

Objective no. 55 of the National Planning Framework (NPF) seeks to *promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.*

RSO 9 of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region seeks to *Support the Transition to Low Carbon and Clean Energy' by pursuing climate mitigation in line with national targets and by harnessing the potential for renewables-focussed energy system to support the transition to a low carbon economy by 2050.*

INF OBJ 39 of the Meath County Development Plan states that it is an objective of that plan to *support Ireland's renewable energy commitments by facilitating the development and exploitation of renewable energy sources including solar at suitable locations where such development would not have a negative effect on the surrounding environment (including water quality).*

The appeal site is located on lands zoned RA (Rural Area) with Sustainable Energy Installations and Utility Structures specifically listed as 'Permitted Uses' in the CDP. The proposal is therefore consistent with the zoning objective.

The applicant has applied for planning permission for an appropriate period of 10 years for construction. Timelines for delivery of electricity grid infrastructure can in

some cases be lengthy which can ultimately lead to sequencing issues between consents for generation assets and delivery of grid infrastructure. This leads to a breakdown of the plan led approach to delivery of renewable projects. If An Coimisiún are minded to grant permission I consider the case to be an appropriate circumstance to extend the appropriate period.

I am satisfied that the principle of development of utility scale solar generation over an appropriate period of 10 years and operation for a period of 40 years in the area of the application is acceptable subject to local environmental sensitivities.

8.2 Landscape and Visual Impact Assessment. Impact on Residential and Visual Amenities

The site is located in the Ward Lowlands Landscape Character Area- a CDP designation assigning high sensitivity and low value. The immediate and wider area of the proposal is characterised by long established intensive agricultural production with the associated impacts on landscape and visual and residential amenities of the area.

Having visited the site and following review of the LVIA submitted and with the location of concern referenced in the observation in mind, the wider area is notable for its location on an urban rural interface characterised by a significant number of one-off houses and overhead electricity lines. Large industrial buildings to the west in the direction of the M3 and expansive development to the south in the direction of west Dublin City is visible from the area of the application.

I consider that the assessment submitted by the applicant and reviewed by the Planning Authority including the mitigation proposed, to be appropriate to the nature of the proposal taking account of the receiving environment.

Taking account of the extent of the views, the landscape character, level of existing development in the immediate and wider landscape, the mitigation proposed and the temporary nature of the proposal I consider the visual impact and resultant impact on residential and visual amenity of the area to be acceptable. Furthermore, I considered that following maturation of new planting and of revised hedgerow management, and as a consequence of views becoming more localised the area will accrue increased rural character and residential amenity.

8.3 Devaluation of property

The applicant states that there is no evidence to support a case for de-valuation of property. The case is made that the size (height) and nature of the Solar farm represents a low impact use relative to the existing agricultural or other potential future uses of the subject site and as such could, relative to alternative future baseline scenarios impact positively on property value in the vicinity.

I note the concerns raised in the observation with respect to devaluation of neighbouring properties. However, having regard to my assessment and conclusion, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

8.4 Strategic level of assessment, cumulative assessment

The observation has raised concerns in relation to the number and extent of utility scale solar development in the wider area of the proposal and the assessment of cumulative and in combination effects thereof in the assessment by the Planning Authority.

Cumulative and in combination effects which include solar developments are given consideration at initial application and in the assessment of Further Information in relation to Landscape and Visual Impacts, Appropriate Assessment, Environmental Impact Assessment, Flood Risk Assessment, as well as in the general planning assessment submitted.

I note the concerns raised regarding strategic consideration of proliferation of Utility Scale Solar developments in particular areas. However, for the purpose of assessment of the project for which consent is sought, I consider issues of cumulative and in combination impacts to have been adequately assessed.

I considered there are no negative cumulative and/or in combination effects arising from the proposal which render the proposal inconsistent with the spatial and sectoral policy and statutory context. For that reason, I do not consider the proposal inconsistent with proper planning and sustainable development of the area from a strategic policy and/or cumulative perspective.

8.5 Transparency of the planning system

I note concerns set out in the observation regarding consultation and implementation of mitigation measures between the developer and landowners in the vicinity of the proposal including provision of additional hedging. The observation sets out concerns regarding impact of such arrangements on the transparency of the planning system.

Community engagement is key part of the achieving proper planning and sustainable development. It is not the role of An Coimisiún to look behind details of consultation with property owners, and how it informed the design of the proposal or which may relate to development outside of the proposal which is exempt from the need for planning permission. I do not consider that there is any basis for An Coimisiún to engage in this regard.

8.6 Flooding – Condition 9

Solar panels proposed within modelled flood zones A or B have been excluded by the Planning Authority by condition number 9 subsection (a). In the view of the Applicant this restriction is unnecessary and is for that reason the subject of the First party appeal.

In contrast to the Planning Authority the applicant considers the principle of solar panels within flood zones to be acceptable and provides references to precedent in order to support this contention, these precedent cases are referenced in section 5 of this report.

Having reviewed the reporting by the Planning Authority, and the submission of the applicant, I am of the view that that panel arrays, mounted on frames above the predicted flood levels are not a form of development vulnerable to flood risk. I am satisfied that placing panel support racks within the flood zones will not materially impact on conveyance or storage volumes and will therefore result in no net increase in discharge rate or runoff volume in the event of any future flood event.

In consideration of the type of development proposed, the wider planning policy context, and interpretation of the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities in a manner consistent with established precedent set out above, I consider the proposal to place panels above

the identified flood risk not to be contrary to the proper planning and sustainable development of the area.

I therefore recommend that, where An Coimisiún are minded to grant permission, part (a) of condition no. 9 as set out in the Planning Authority Notification of decision should be excluded from any schedule of conditions. The removal of this part of condition 9 would allow for panels to be placed as proposed in the application including in areas, subject to a predicted flood depth up to but not exceeding a 0.7m in the modelled 0.1% AEP event, with panels mounted above the predicted flood depth.

9 EIA Screening

The applicant submitted Schedule 7A information. Form 1 (Appendix 1) sets out the pre-screening undertaken and Form 3 (Appendix 2) sets out the screening Determination undertaken which concludes as follows:

EIA Screening Determination

EIAR not Required

Having regard to: -

- the nature and scale of the proposed development, which of itself is not a class of development and falls below the thresholds in respect of Class 1(a) and Class 10(dd) of Part 2 to Schedule 5 of the Planning and Development Regulations 2001, as revised;
- the consideration of the cumulative effects of the proposed development, subject of the screening, and the wider development of solar farms which is not, of itself, a class for the purposes of the EIA Directive;
- the nature of the existing site and the existing and permitted pattern of development in the surrounding area;
- the location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
- the guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development',

issued by the Department of the Environment, Heritage and Local Government (2003);

- the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;
- the features and measures proposed by the developer that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified to be provided as part of the project - Landscape and visual impact assessment, Ecological appraisal and biodiversity management plan, Archaeology impact assessment, Flood risk assessment / drainage impact assessment, noise impact assessment, glint and glare assessment, Construction Environmental Management Plan, and Decommissioning Plan.

It is considered that the proposed development would not be likely to have significant direct, indirect or cumulative effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

10 Water Framework Directive (WFD)

See Appendix 3 of this report for further detailed consideration.

I have assessed the proposal for a 215 hectare solar farm in the townlands of Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree Rowan and Kinoristown, Co. Meath and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows;

- Nature of works and the surface water controls designed into the proposal

- The absence of any proposal for abstraction from or discharge to any surface or ground water bodies
- The absence of any proposal for hydro morphological changes to any waterbody

WFD screening conclusion:

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11 Appropriate Assessment

(See Appendix 2)

11.1 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, I conclude that it is not possible to exclude the potential that the proposed development alone will give rise to significant effects on:

- Malahide Estuary SAC (0000205)
- Malahide Estuary SPA (0004025)
- South Dublin Bay and River Tolka Estuary SPA (004024)

in view of these sites' conservation objectives. Appropriate Assessment is required.

This determination is based on:

- Objective information presented in the application including the Screening Report
- The zone of influence of potential impacts
- Distance and connectivity and pathways to European Sites,
- The conservation objectives of each site.

11.2 Appropriate Assessment

The applicant determined that following implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of any European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Potential indirect impacts are subject to mitigation measures described to prevent qualitative and quantitative impacts on ground and surface water. Monitoring measures are 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.

Reasonable scientific doubt

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

Site Integrity

The proposed development of a Solar Farm Development Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree, Rowan and Kinoristown Townlands, County Meath, will not affect the attainment of the Conservation objectives of:

- Malahide Estuary SAC ([0000205](#))
- Malahide Estuary SPA ([0004025](#))
- South Dublin Bay and River Tolka Estuary SPA ([004024](#))

Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

12 Recommendation

I recommend that the Board grant permission for the proposed development for the following reasons and considerations, subject to the conditions set out below which excludes sub section 9(a) of planning register reference 2460742 notified by the Planning Authority on 10/04/2025 to which the first party appeal relates.

Reasons and Considerations

An Coimisiún reached its decision in accordance with its duties under Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended, and the requirement to, in so far as practicable, perform its functions in a manner consistent with inter alia the Climate Action Plan 2024 and Climate Action Plan 2025 and the furtherance of the national climate objective.

And in coming to its decision, An Coimisiún had regard to the following:

- 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.
 - EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025)
 - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU.
 - 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 development of alternative and indigenous energy sources and minimisation of emissions from greenhouse gases, particularly the NPF First Revision 2025 and National Policy Objective 70.
 - The objectives and targets of the National Biodiversity Action Plan 2023-2030.

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities 2009
- Regional and local planning policy, including:
 - Eastern & Midland Regional Economic and Spatial Strategy, 2019-2031.
 - Meath County Development Plan 2021 – 2027.
- 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.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, and regional renewable energy policies and with the provisions of Meath County Development Plan 2021 – 2027, would not seriously injure the visual or residential amenities of the area or otherwise of property in the vicinity or have an unacceptable impact on the character of the landscape or on cultural or archaeological heritage, would not have a significant adverse impact on ecology, would be acceptable in terms of traffic impacts and safety and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Stage 1 Screening Determination

An Coimisiún agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that:

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in the AA screening, it is not possible to exclude the potential that the proposed development alone will give rise to significant effects on:

- Malahide Estuary SAC (0000205)
- Malahide Estuary SPA (0004025)
- South Dublin Bay and River Tolka Estuary SPA (004024)

in view of these sites' conservation objectives. Appropriate Assessment is required.

Appropriate Assessment Stage 2 Conclusion

The Commission considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely

- Malahide Estuary SAC (0000205)
- Malahide Estuary SPA (0004025)
- South Dublin Bay and River Tolka Estuary SPA (004024)

in view of these sites' conservation objectives.

EIA Screening Determination

Having regard to: -

- the nature and scale of the proposed development, which is not itself a class of development and falls below the thresholds in respect of Class 1(a) and Class 10(dd) of Part 2 to Schedule 5 of the Planning and Development Regulations 2001, as revised;
- The consideration of the cumulative effects of the proposed development, subject of the screening, and the wider development of solar farms which is not, of itself, a class for the purposes of the EIA Directive;
- the nature of the existing site and the existing and permitted pattern of development in the surrounding area;
- the location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;

- the guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;
- the features and measures proposed by the developer that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified to be provided as part of the project - Landscape and visual impact assessment, Ecological appraisal and biodiversity management plan, Archaeology impact assessment, Flood risk assessment / drainage impact assessment, noise impact assessment, glint and glare assessment, Construction Environmental Management Plan, and Decommissioning Plan.

It is considered that the proposed development would not be likely to have significant direct, indirect or cumulative effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13th August 2024, 29th January 2025, and 14th February 2025 as well as the appeal submission to An Bord Pleanála received on the 6th May 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 developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the mega-watt output capacity of the proposed solar farm shall be submitted to and agreed in writing with the Planning Authority, unless the prior written agreement of the Planning Authority is first obtained.

Reason: In the interests of the proper planning and sustainable development of the area.

3. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interests of clarity.

4. This planning permission shall be for a period of ten (10) years for construction of the development from the date of this order unless, prior to the end of this period, a further grant of planning permission has issued.

Reason: In the interest of clarity and proper planning and sustainable development.

5. The operational life of the solar farm shall be 40 years, the solar panels and all associated development shall be removed off site and the site shall be reinstated unless the operational life has been extended by means of a further grant of planning permission.

Reason: In the interest of clarity and proper planning and sustainable development.

6. All structures hereby authorised shall be removed not later than 40 years from the date of commencement of the development, and the site reinstated unless planning permission has been granted for their retention for a further period prior to that date. Prior to commencement of development, a detailed restoration plan, providing for removal of foundations/ anchors and access

roads to a specific timescale shall be submitted to the Planning Authority for prior written agreement. On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations, shall be dismantled and removed from the site. The site shall be restored in accordance with the said programme (including all access roads) and all decommissioned structures shall be removed within three months of decommissioning.

Reason: To enable the Planning Authority to consider the impact of the development over the stated time period, to enable the Planning Authority to review the operation of the solar farm having regard to the circumstances then prevailing, and in the interest of orderly development.

7. The applicant shall implement all mitigation measures necessary to ensure that there is no risk of glint and glare for residential and road receptors. The applicant shall also complete a post construction Glint and Glare inspection and survey from local receptors to ensure that there is no risk of glint and glare for any motorists on any of the local public roads or residences in the surrounding area. The findings of the inspection and survey shall be submitted in the form of a report to the Planning Authority for review following Year 1, and any subsequent year if/when Glint and Glare issues arise. The applicant shall agree any remedial works including additional screening and/or planting, if required, where Glint and Glare issues arise during the life of the project.

Reason: In the interests of the proper planning and sustainable development of the area.

8. All landscaping works shall be completed, within the first planting season following commencement of development, in accordance with the Landscape Mitigation Plans submitted to the planning authority on lodged with the Planning Authority on 13/09/2024 & 29/01/2025. Any trees and hedging 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. Existing field boundaries shall be retained (other than those specified for removal to facilitate access throughout the development site).

Reason: In the interest of biodiversity and the visual amenities of the area.

9. (a) The applicant shall implement all recommendations from the further information response into the proposed development submitted to the planning Authority on the 29/01/2025 and the Appeal Documentation received by An Coimisiún on 06/05/2025.

(b) Any proposed culverts, crossings, watercourse diversions or amendments to same shall require Section 50 consent from the OPW and such written consent shall be submitted to the Planning Authority prior to the Commencement of any development on the site.

Reason: In the interest of flood risk prevention.

10. (a) All hardstanding areas shall be drained to suitably sized soakaways in accordance with BRE365 requirements.

(b) All internal roadways/access ways shall be constructed with permeable materials.

(c) All work shall comply fully with the Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Volume 2, for New Developments.

(d) All work shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works Volume 6.

Reason: In the interests of the surface water management

11. (a) Prior to the Commencement of development on the site the applicant shall submit a Construction Stage Traffic Management Plan for the written agreement of the Planning Authority.

(b) The applicant shall obtain a Road Opening Licence for any works within the realm of the public road.

Reason: In the interest of traffic safety and orderly development.

12. All mitigation measures in respect of the development hereby permitted shall be implemented as outlined in section 6 of the Natura Impact Statement (NIS) and other plans and particulars date received by the Planning Authority 29/01/2025 and in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions hereunder.

Reason: In the interests of protection of the Designated Sites.

13. (a) The mitigation measures identified in the Ecological Impact Assessment (EclA), Breeding Bird Survey Report, Biodiversity Net Gain report, terrestrial mammal survey and Construction Environmental Management Plan (CEMP) and other particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions. The developer shall appoint a professional person with appropriate ecological and construction expertise as Environmental Manager to ensure that the mitigation measures identified in the above documents are implemented in full.

(b) The applicant shall submit fatality monitoring and flight activity surveys for a period of 2 years post completion of the development for the written agreement of the Planning Authority.

Reason: In the interest of clarity and the protection of the environment during construction and operational phases of development.

14. The mitigation and management measures outlined in the Environmental Noise Assessment and Fire Risk Assessment submitted on the 29/01/2025 shall be implemented in full.

Reason: In the interests of residential amenity and fire risk prevention.

15. The exact detail of the transformers / inverters and other ancillary units and structures shall be submitted to the Planning Authority prior to commencement of development for written agreement.

Reason: In the interests of visual amenity.

16. (a) The applicant is required to engage the services of a suitably qualified archaeologist to co-ordinate the archaeological mitigation proposals for the establishment of appropriate exclusion and buffer zones contained in the Archaeology, Architecture and Cultural Heritage Report (Section 5 and Table 15 of Section 7) and to oversee the integration of the archaeological mitigation into the Construction and Environmental Management Plan (CEMP).

(b) The archaeologist will create a Conservation and Management Plan for all the sites to be preserved within the proposed development. The Plan will include proposals for their preservation, conservation and management at preconstruction, construction phases, operational phases and decommissioning phases of the development. The Plan will be forwarded to the Planning Authority and to the Department of Housing, Local Government and Heritage for written agreement and approval in advance of the commencement of construction works.

(c) The archaeologist will monitor under licence all groundworks associated with the development,

(d) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the National Monuments Service of the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

(e) The Planning Authority and the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

17. (a) The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.

(b) All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.

(c) Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

18. (a): The Applicant shall implement all recommendations of the Glint and Glare Assessment submitted on the 13/09/2024 and any mitigation and enhancement measures detailed.

(b): The construction works shall be carried out in accordance with the noise guidance set out by BS 5228-1:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites and the NRA Guidelines for the treatment of Noise and Vibration in National Roads Schemes and the Construction Environmental Management Plan. The Applicant shall agree with the Planning Authority permitted working hours for the construction period.

(c): During the operational phase of the development noise levels emanating from the proposed site when measured at noise sensitive locations in the vicinity shall not exceed 45dB(A) between the hours of 07.00 and 23.00 and 43dB(A) between the hours of 23.00 and 07.00. All sound measurements

shall be carried out in accordance with ISO Recommendations R 1996, 'Assessment of Noise with Respect to Community Response', as amended by ISO Recommendation 1996/1, 2 and 3, 'Description and Measurement of Environmental Noise', as appropriate. The measurement time intervals to be used are 15 minutes by day and 15 minutes by night. Where the time period for daytime is accepted (08:00-22:00), and night-time (22:00-08:00). The applicant will undertake a noise survey within 3 months of commissioning of the development to ensure that emission for the development comply with the noise conditions attached to any grant of planning permission and to identify potential issues requiring mitigation. The applicant shall submit the report to the planning authority for review and agreement on any required mitigation measures.

(d): The applicant shall maintain and make available for inspection environmental complaints register for the construction and operational phases; this register shall include but not be limited to complaints due to glint and glare, noise and dust.

(e): The Applicant shall finalise, update accordingly and communicate to all site personnel the Construction Environmental Monitoring Plan (CEMP). The CEMP shall include but not be limited to operational controls for dust, noise and vibration, waste management, protection of soils and groundwaters, protection of flora and fauna, site housekeeping, emergency response planning, site environmental policy, environmental regulatory requirements and project roles and responsibilities. The CEMP shall also address extreme of weather (drought, wind, precipitation, temperature extremes) and the possible impacts on receptors and mitigation of same. The CEMP shall be treated as a live document.

(f): The Applicant shall prepare a Waste Management Plan (WMP) for the proposed development for the written approval of the Planning Authority prior to the commencement of any site activity. The WMP shall include but not be limited to project description, legislation requirements, demolition waste, construction phase waste, categories of construction waste, anticipated hazardous waste, non-construction waste, segregation of waste streams, estimated waste generated, waste hierarchy and adherence to same, roles

and responsibilities and communication of WMP, details of recovery and disposal sites, details of waste hauliers, record keeping and documentation, waste audit procedures. The WMP shall be prepared in accordance with “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects” (2006) and “Guidelines for the Management of Waste from National Road Construction Road Projects” (Rev. 2014), the WMP shall also take cognisance of the current Regional Waste Management Plan in particular to the upper tiers of the Waste Hierarchy. All waste generated on site shall be recovered/ disposed of at an authorised facility and transported by an authorised collector. The WMP shall be treated as a live document and communicated to all relevant personnel.

(g): Only clean aggregate may be used in the access road construction and temporary site compound; construction and demolition waste are not permitted.

(h): All waste generated during construction, including surplus excavation material to be taken off-site, shall be only recovered or disposed of at an authorised site which has a current Waste Licence or Waste Permit in accordance with the Waste Management Acts, 1996. This shall not apply to the reuse of excavated material within the applicant’s site boundary.

(i): Burning of waste (including green waste) or any other materials is prohibited at the proposed development.

(j): All tank containers shall be rendered impervious to the materials stored therein. Bunds should be designed having regard to Agency guidelines ‘Storage and Transfer of Materials for Scheduled Activities’ (2004). All tanks shall, as a minimum, be bunded locally to a volume not less than: 110% of the capacity of the largest tank within the bunded area.

(k): Re-fuelling of plant and machinery shall take place in dedicated areas and the applicant/contractor shall have spill kits available on site.

(l): During the construction stage arrangements shall be made for the collection, storage and disposal of all foul sewage effluent arising from the construction works and transferred to an authorised facility.

(m): The applicant/contractor shall utilise a silenced generator for the duration of the works.

Reason: In the interests of the proper planning and sustainable development of the area.

19. Prior to the commencement of any work on site, the Applicant shall submit proposals for the final locations, design and quantity of CCTV Cameras to the Planning Authority for agreement. The revised proposals shall include the applicants' detailed justification and demonstration of best practice for the installation of CCTV Cameras on site.

Reason: In the interests of clarity.

20. (a) No external artificial lighting shall be installed or operated on site, unless otherwise 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 the road.

(c) Cables within the site shall be located underground.

(d) The inverter/transformer stations shall be dark green in colour.

Reason: In the interest of visual and residential amenity.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Senior Planning Inspector
08 October 2025

Commented [H01]: date

Appendix 1 EIA

Form 1 - EIA Pre-Screening

Case Reference	ACP-322423-25
Proposed Development Summary	construction of a 215 hectare solar farm
Development Address	the townlands of Ballymacoll Little Boolies Nuttstown, Ballintry Belgree Rowan and Kinoristown , Co. Meath
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
☒ 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.	Part 2- Class 1 (a) 'restructuring of rural land holdings'- 18m of field boundary removal for entrance. Class 10 (dd) All private roads which would exceed 200 metres in length. Use of existing access tracks and 250m new only.
No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	.
☐ Yes, the proposed development is of a Class but is sub-threshold.	

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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)?	
Yes ☒	Screening Determination required (Complete Form 3)

EIA Screening Determination Form 3

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-322423-25	
Development Summary	Construction of, development consisting of a 215 hectare solar farm	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Section 11 of the Planning Authority planning report considers inter alia the nature, size, and location prior to concluding that an EIAR is not required.
2. Has Schedule 7A information been submitted?	Yes	Environmental Impact Assessment Screening by Entrust Limited dated August 2024 contains Schedule 7A information.
3. Has an AA screening report or NIS been submitted?	Yes	NIS submitted
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
5. Have any other relevant assessments of the effects on	No	

the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA			
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant)	Is this likely to result in significant effects on the environment?
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	Yes	The development will replace current intensive agricultural use of the land with an extensive array of solar panels.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The development will replace current agricultural practices with an extensive array of solar panels.	No

1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	It is anticipated at cessation of the proposed use the lands will revert to the underlying and default agricultural use.	Yes, provision of renewable energy
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No		
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No		
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	Taking account of extensive drainage network there is potential where vegetation cover is broken by machinery during construction/decommissioning for runoff of particulate matter (soils) to surface waters, particularly in an extreme rainfall and/or flooding event during construction. This risk is mitigated by measures in the CEMP.	No, with full implementation of mitigation there shall be no significant residual risk.
1.7 Will the project cause noise and vibration or release	No		

of light, heat, energy or electromagnetic radiation?			
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No		
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No		
1.10 Will the project affect the social environment (population, employment)	No		
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	The proposed development is part of wider solar farm development which of itself is not a class for the purposes of the EIA Directive, but which is considered in the context of any resulting potential cumulative effects, including visual/landscape, water, drainage, traffic and biodiversity which are addressed separately in the Planning Assessment of my report and that of the planning authority. These conclude that no significant cumulative effects would arise in respect of the proposed development and the wider solar farm development.	No, with full implementation of mitigation there shall be no significant residual risk of effects.

2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/ conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	Yes	The development has potential to impact on riparian corridors of watercourses with a hydrological connection to protected and unprotected habitats containing protected and unprotected species. Mitigation measures for the protection of these watercourse have been designed into the proposal and will address any location specific issues.	No significant impacts anticipated following mitigation.
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-	Yes	Badger sett identified within the application boundary.	No significant impacts anticipated following mitigation.

wintering, or migration, be affected by the project?			
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	10 RMP / SMR sites, 19 newly identified archaeological sites or features and 13 newly identified sites of potentially archaeological character, within the proposed development site. The development was modified at design stage to mitigate impacts.	No significant impact following mitigation.
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No		
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	Watercourses and associated floodplains could be impacted by construction. Mitigation has been introduced in the design.	No significant impacts anticipated following mitigation.

2.6 Is the location susceptible to subsidence, landslides or erosion?	Yes	Taking account of the nature of development, and topography of the site there is a risk of soil erosion where surface vegetation becomes damaged by construction machinery, particularly in wet weather. This has been mitigated by design.	No significant impacts anticipated following mitigation.
2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No		
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No		
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	Yes	The proposed development is part of a wider energy diversification, separate constructed and consented solar farm developments are located in the wider area which of itself is not a class for the purposes of the EIA Directive, but which is considered in the context of any	No, with full implementation of mitigation there shall be no significant residual risk of effects.

		resulting potential cumulative effects, including visual/landscape, water, drainage, traffic and biodiversity each of which are addressed separately in the Planning Assessment of my report and that of the Planning Authority This concludes that no significant cumulative effects would arise in respect of the proposed development and the wider solar farm development.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		
3.3 Are there any other relevant considerations?	No		
C. CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
D. MAIN REASONS AND CONSIDERATIONS			
<i>EIAR <u>not</u> Required</i> Having regard to: - - the nature and scale of the proposed development, which in and of itself is not a class of development, and falls below the thresholds in respect of Class 1(a) and Class 10(dd) of Part 2 to Schedule 5 of the Planning and Development Regulations 2001, as revised; - The consideration of the cumulative effects of the proposed development, subject of the screening, and the wider development of solar farms which is not, of itself, a class for the purposes of the EIA Directive;			

- the nature of the existing site and the existing and permitted pattern of development in the surrounding area;
- the location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
- the guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;
- the features and measures proposed by the developer that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified to be provided as part of the project - Landscape and visual impact assessment, Ecological appraisal and biodiversity management plan, Archaeology impact assessment, Flood risk assessment / drainage impact assessment., noise impact assessment, glint and glare assessment, Construction Environmental Management Plan, and Decommissioning Plan .

It is considered that the proposed development would not be likely to have significant direct, indirect or cumulative effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Inspector _____

Date 08/10/2025_

Approved (DP/ADP) _____

Date _____

Commented [H02]: date

Appendix 2 AA

AA Screening Determination

Screening for Appropriate Assessment

Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	construction of, development consisting of a 215 hectare solar farm
Brief description of development site characteristics and potential impact mechanisms	The site has a stated area of 215 hectares consisting of land that is mainly in pastoral/tillage use. The site consists of a number of extensive fields which are mostly defined by external and internal boundary vegetation in the form of hedgerows and treelines. The Ward River and Pinkeen stream drain the wider area via drainage ditches to field boundaries. The River Pinkeen flows through the southern land parcel. The River Ward bounds the site along its northern boundary. A more detailed description of the receiving environment is set out at section 3 of the submitted NIS which incorporates a Screening for Appropriate Assessment.
Screening report	Incorporated at section 4 of the NIS
Natura Impact Statement	Yes
Relevant submissions	Inland Fisheries Ireland

		Ward River is Salmonoid with brown trout throughout and salmon in its lower reaches. The Pinkeen supports brown trout and flows into the Tolka which supports Lamprey.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Approx km from proposal	Ecological connections ²	Consider further in screening ³
Malahide Estuary SAC (0000205) COs Dated 27 May 2013	1140 Mudflats and sandflats not covered by seawater at low tide	16km + of water course	Downstream hydrological	Yes
	1310 Salicornia and other annuals colonising mud and sand			
	1320 Spartina swards (Spartinion maritimae) (assessment not required as per CO's)			
	1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)			
	1410 Mediterranean salt meadows (Juncetalia maritimi)			
	2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)	20 km + of water course	None	No
	2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*			
Malahide Estuary SPA (0004025)	Great Crested Grebe (Podiceps cristatus) [A005]	20 km + of water course		No

COs Dated 16 Aug 2013	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]		Downstream hydrological	
	Shelduck (<i>Tadorna tadorna</i>) [A048]			
	Pintail (<i>Anas acuta</i>) [A054]			
	Goldeneye (<i>Bucephala clangula</i>) [A067]			
	Red-breasted Merganser (<i>Mergus serrator</i>) [A069]			
	Oystercatcher (<i>Haematopus ostralegus</i>) [A130]			
	Golden Plover (<i>Pluvialis apricaria</i>) [A140]			
	Grey Plover (<i>Pluvialis squatarola</i>) [A141]			
	Knot (<i>Calidris canutus</i>) [A143]			
	Dunlin (<i>Calidris alpina</i>) [A149]			
	Black-tailed Godwit (<i>Limosa limosa</i>) [A156]			
	Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]			
	Redshank (<i>Tringa totanus</i>) [A162]			
	Wetland and Waterbirds [A999]		Downstream hydrological	Yes
South Dublin Bay and River Tolka Estuary SPA (004024)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]	18.5km of water course	Downstream hydrological	No

Co's dated 09 Mar 2015				
	Oystercatcher (<i>Haematopus ostralegus</i>) [A130]			
	Ringed Plover (<i>Charadrius hiaticula</i>) [A137]			
	Grey Plover (<i>Pluvialis squatarola</i>) [A141]			
	Knot (<i>Calidris canutus</i>) [A143]			
	Sanderling (<i>Calidris alba</i>) [A144]			
	Dunlin (<i>Calidris alpina</i>) [A149]			
	Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]			
	Redshank (<i>Tringa totanus</i>) [A162]			
	Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]			
	Roseate Tern (<i>Sterna dougallii</i>) [A192]			
	Common Tern (<i>Sterna hirundo</i>) [A193]			
	Arctic Tern (<i>Sterna paradisaea</i>) [A194]			
	Wetland and Waterbirds [A999]		Downstream hydrological	Yes
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				

Resulting from downstream hydrological connectivity to European sites potential likely significant effects alone:

- Release of sediment and pollutants which may be discharged into surface water, particularly during high rainfall events.
- Movement of vehicles and machinery associated with construction works and the potential for spillages of oils, fuels or other pollutants which could be transported to the surface water system during rainfall events.
- Transportation, pouring of concrete onsite and washing of concrete lorry flume – risk for entry into surface water.
- Increased silt loading, which may stunt aquatic plant growth, limit dissolved oxygen capacity and overall reduce the ecological quality of watercourses.
- The introduction or spread of invasive alien species due to construction works.
- Disturbance to fauna (e.g. through noise from construction activity and/or human presence) resulting in the displacement of affected species.
- Accidental mortality of wildlife from construction machinery.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

It is not possible to exclude the possibility that proposed development alone would result in significant effects on:

- Malahide Estuary SAC (0000205)
- Malahide Estuary SPA (0004025)
- South Dublin Bay and River Tolka Estuary SPA (004024)

from effects associated with a reduction in the quality of Annex I habitats or habitats that support Annex species during the construction and operational phases.

An appropriate assessment is therefore 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.

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, I conclude that it is not possible to exclude the potential that the proposed development alone will give rise to significant effects on:

- Malahide Estuary SAC (0000205)
- Malahide Estuary SPA (0004025)
- South Dublin Bay and River Tolka Estuary SPA (004024)

in view of these sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- Objective information presented in the application including the Screening Report
- The zone of influence of potential impacts
- Distance and connectivity and pathways to European Sites,
- The conservation objectives of each site.

Appropriate Assessment. Stage 2

The Natura Impact Statement

The application includes a Natura Impact Statement (NIS) prepared by Veon Ecology dated on the title page as 9th January 2025. The NIS included a Screening for Appropriate Assessment. (see determination above).

Template 3: Standard AA Template and AA Determination

Appropriate Assessment
The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 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 of a Proposed Solar Farm Development Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree, Rowan and Kinoristown Townlands, County Meath, in view of the relevant conservation objectives of • Malahide Estuary SAC (IE0000205) • Malahide Estuary SPA (0004025) • South Dublin Bay and River Tolka Estuary SPA (004024) based on scientific information provided by the applicant and considering relevant opinions set out in submissions received to the application. The information relied upon includes the following: • Natura Impact Statement Prepared for Entrust Ltd complied by David M. McGillicuddy B.Sc. (Hons) Veon Ecology On behalf of: Soleire Renewables SPV Ltd. dated 9th January 2025 including appendices. • Conservation objectives, site Synopses and related publications for protected sites.

I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.			
Submissions/observations			
None to ACP relevant to AA.			
Summary of Key issues that could give rise to adverse effects (from screening stage):			
Downstream Hydrological connectivity with a potential effect by way of a reduction in the quality of Annex I habitats or habitats that support Annex species requires further consideration.			
Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary) further detail in Section 6 of the NIS
Malahide Estuary SAC (IE0000205)			
1330 Atlantic salt meadows (Glaucopuccinellietalia maritimae)	restore the favourable conservation condition	Adverse effect on the integrity because of the release of suspended solids and / or other pollutants. The worst-case adverse effect is considered to be an impact by pollutants on whole length of the aquatic pathway (i.e. from the proposed development site to the adjoining watercourses and the downstream component areas of the Malahide Estuary SAC, Malahide Estuary SPA and South Dublin Bay and River Tolka Estuary SPA).	Water quality measures including silt and sediment control and prohibition on use of fertilisers and chemicals.
1140 Mudflats and sandflats not covered by seawater at low tide	maintain the favourable conservation condition.	Adverse effect on the integrity because of the release of suspended solids and / or other pollutants. The worst-case Zone of Influence is considered to be the whole length of the aquatic pathway (i.e. from the proposed development site to the adjoining	Any works near watercourses to be carried out in dry weather to

1310 Salicornia and other annuals colonising mud and sand		watercourses and the downstream component areas of the Malahide Estuary SAC, Malahide Estuary SPA and South Dublin Bay and River Tolka Estuary SPA)	prevent siltation and run-off.
1410 Mediterranean salt meadows (Juncetalia maritimi)			Monitoring of drainage network by periodic inspection.
Malahide Estuary SPA (Site code: IE0004025) and South Dublin Bay and River Tolka Estuary SPA (004024)			
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition	adverse effect on the integrity because of the release of suspended solids and / or other pollutants. The worst-case Zone of Influence is considered to be the whole length of the aquatic pathway (i.e. from the proposed development site to the adjoining watercourses and the downstream component areas of the Malahide Estuary SAC, Malahide Estuary SPA and South Dublin Bay and River Tolka Estuary SPA)	Water quality measures including silt and sediment control and prohibition on use of fertilisers and chemicals. Any works near watercourses to be carried out in dry weather to prevent siltation and run-off. Monitoring of drainage network by periodic inspection.

The above table is based on the documentation and information provided on the file and my analysis and review, I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.			
Assessment of issues that could give rise to adverse effects in view of conservation objectives: Water degradation The release of suspended solids and / or other pollutants into surface and ground waters during construction and operation have potential to result in significant negative impacts on species and habitats subject to conservation objectives where such changes exceed the ranges of tolerance. Mitigation measures and conditions I am satisfied that mitigation measures proposed for the protection/maintenance of existing water environment in the NIS will prevent adverse effects on the integrity of any European sites.			
In-combination effects Consideration of in combination effects and a cumulative Impact assessment is presented at section 8 of the NIS. The NIS concludes all plans and projects taken into account have been developed with consideration of their potential environmental impacts and are committed to avoiding and minimising such effects through the Appropriate Assessment and Environmental Impact Assessment processes. Therefore, the assessment of cumulative and in-combination effects concludes that there is no potential for those plans and projects to have a cumulative impact to features of biodiversity interest, in combination with the proposed development. I consider in the event of permission being granted subject to mitigation I am satisfied that in-combination effects has been assessed adequately in this Stage 2 assessment.			
Findings and conclusions			

The applicant determined that following implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of any European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Potential indirect impacts are subject to mitigation measures described to prevent qualitative and quantitative impacts on ground and surface water. Monitoring measures are 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.

Reasonable scientific doubt

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

Site Integrity

The proposed development of a Solar Farm Development Ballymacoll Little, Boolies, Nuttstown, Ballintry, Belgree, Rowan and Kinoristown Townlands, County Meath, will not affect the attainment of the Conservation objectives of:

- Malahide Estuary SAC ([IE0000205](#))
- Malahide Estuary SPA ([0004025](#))
- South Dublin Bay and River Tolka Estuary SPA ([004024](#))

Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

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 Malahide Estuary SAC ([IE0000205](#)), Malahide Estuary SPA ([0004025](#)), and South Dublin Bay and River Tolka Estuary SPA ([004024](#)) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the proposal and receiving environment, the NIS and all associated material submitted including observations, and submissions, I consider that adverse effects on site integrity of Malahide Estuary SAC ([IE0000205](#)), Malahide Estuary SPA ([0004025](#)) and South Dublin Bay and River Tolka Estuary SPA ([004024](#)) can be excluded in view of the conservation objectives of these sites 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.
- Assessment of the immediate and wider receiving environment and components thereof insofar as they relate to and support the functioning of the network of Natura Sites towards the achievement of conservation objectives. Including consideration of potential qualitative and quantitative impacts on surface and groundwater bodies and the relationship of those waterbodies to species and habitats including conservation objectives of the above referenced Natura sites.
- The proposed development will not affect the attainment of conservation objectives for Malahide Estuary SAC ([IE0000205](#)), Malahide Estuary SPA ([0004025](#)) and South Dublin Bay and River Tolka Estuary SPA ([004024](#)) or prevent or delay the restoration of favourable conservation condition as relevant.
- Effectiveness of mitigation measures proposed and by conditions.

Inspector: _____

Date: 08/10/2025

Commented [H03]: Date

Appendix 3 Water Framework Directive Assessment Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-322423-25	Townland, address	the townlands of Ballymacoll Little Boolies Nuttstown, Ballintry Belgree Rowan and Kinoristown , Co. Meath
Description of project		215 hectare solar farm	
Brief site description, relevant to WFD Screening,		The site has a stated area of 215 hectares consisting of land primarily in intensive pastoral/tillage use. The site consists of a number of extensive fields which are mostly defined by external and internal boundary vegetation in the form of hedgerows and treelines. The Ward River and Pinkeen Stream drain the wider area via drainage ditches to field boundaries. The River Pinkeen flows through the southern land parcel. The River Ward bounds the site along its northern boundary.	
Proposed surface water details		Roofwater from transformers will be drained to a soakage area and discharged to groundwater	
Proposed water supply source & available capacity		No water supply proposed	

Proposed wastewater treatment system & available capacity, other issues			Not applicable			
Others?			Not applicable			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	0	PINKEEN_010	Moderate low confidence	At risk	Farmyards Waste Water discharge	surface run-off
River Waterbody	0	WARD_010	Poor	Review	Land Drainage Channelisation	surface run-off

					Waste Water discharge Agriculture		
Groundwater waterbody	Underlying site	Swords IE_EA_G_011	GW 2016-2021 Good	Not at risk	No pressures listed	Free draining soil conditions.	
Groundwater waterbody	Underlying site	Dublin IE_EA_G_008	GW 2016-2021 Good	Review	No pressures listed	Free draining soil conditions.	
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	PINKEEN_010	surface run-off	Water pollution by siltation and/or chemicals	Controls for works and use of chemicals	No	Screened out
2.	Surface	WARD_010	surface run-off	Water pollution by siltation and/or chemicals	Controls for works and use of chemicals	No	Screened out
3.	Ground	Swords IE_EA_G_011	Infiltration to groundwater	Hydrocarbon and other chemicals	Controls for works and use of chemicals	No	Screened out
4.	Ground	Dublin IE_EA_G_008	Infiltration to groundwater	Hydrocarbon and other chemicals	Controls for works and use of chemicals	No	Screened out
OPERATIONAL PHASE							
1.	Surface	PINKEEN_010	surface run-off	Water pollution by siltation and/or chemical	Controls for works and use of chemicals	No	Screened out
2.	Surface	WARD_010	surface run-off	Water pollution by siltation and/or chemical	Controls for works and use of chemicals	No	Screened out
3.	Ground	Swords IE_EA_G_011	Infiltration to groundwater	Hydrocarbon and other chemicals	Controls for works and use of chemicals	No	Screened out
4.	Ground	Dublin IE_EA_G_008	Infiltration to groundwater	Hydrocarbon and other chemicals	Controls for works and use of chemicals	No	Screened out
DECOMMISSIONING PHASE							

1.	Surface	PINKEEN_010	surface run-off	Water pollution by siltation and/or chemical	Controls for works and use of chemicals	No	Screened out
2.	Surface	WARD_010	surface run-off	Water pollution by siltation and/or chemical	Controls for works and use of chemicals	No	Screened out
3.	Ground	Swords IE_EA_G_011	Infiltration to groundwater	Hydrocarbon and other chemical spillages	Controls for works and use of chemicals	No	Screened out
4.	Ground	Dublin IE_EA_G_008	Infiltration to groundwater	Hydrocarbon and other chemical spillages	Controls for works and use of chemicals	No	Screened out