

An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-323893-25**

<b>Development</b>	Proposed construction of a new 110 kV substation
<b>Location</b>	Located on Roches Avenue, Raheen Business Park, Limerick, County Limerick ( <a href="http://www.ballycummin110kvsubstation.ie">www.ballycummin110kvsubstation.ie</a> )
<b>Planning Authority</b>	Limerick City and County Council
<b>Applicant</b>	Electricity Supply Board (ESB)
<b>Type of Application</b>	Application under the provisions of Section 182A of the Planning and Development Act 2000, as amended.
<b>Prescribed Bodies</b>	Minister for Housing, Local Government and Heritage Minister for the Environment, Climate and Communications Limerick City and County Council Commission for the Regulation of Utilities Transport Infrastructure Ireland Uisce Éireann Inland Fisheries Ireland

Office of Public Works  
An Taisce  
Heritage Council  
An Chomhairle Ealaíon  
Failte Ireland  
Irish Aviation Authority  
Health & Safety Authority

**Observer(s)**

Tom Ryan

**Date of Site Inspection**

13<sup>th</sup> May 2026

**Inspector**

Rachel Gleave O'Connor

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## 1.0 Introduction

- 1.1. An application has been made by the Electricity Supply Board (ESB) under the provisions of Section 182A of the Planning and Development Act 2000 (as amended), of a 110kV/38kV MV substation and associated works, Roches Avenue, Rahenn Business Park in Limerick. It is intended that the proposed substation will reduce load stress on the existing Limerick 110kV/38kV substation.

## 2.0 Site Location and Description

- 2.1. The site is 5.45ha in size and is located on Roches Avenue within the Raheen Business Park on the outskirts of Limerick City. The existing substation is on the south side of Roches Avenue while the new substation is proposed on the north side of Roches Avenue and is bounded by Eli Lilly to the west, Stryker to the north and Regeneron to the south on the opposite side of Roches Avenue. The general area is made up of high tech/manufacturing and industrial uses. There are residential dwellings to the north of the site on R526. Existing electricity infrastructure traverses the site and the R526.

## 3.0 Proposed Development

- 3.1. The proposed development will comprise the following:
- Removal of four existing 110 kV Overhead Line timber pole sets (c.15 m in height) and c.800 m of Overhead Line conductor;
  - Relocation of existing Interface Transformer;
  - Construction of:
    - i. A new substation compound (c. 5,950sqm) with a 2.6m high palisade fencing;
    - ii. A new 110kV GIS building with eight 110kV bays (c.700sqm; c.12m in height);
    - iii. A new 38/20kV GIS building with fourteen 38kV bays and eighteen MV (20kV) bays (c.235sqm; c.7m in height);

- iv. Two banded 110/38kV power transformers (c.5m in height) with associated electrical equipment;
  - v. Two banded 38/20kV power transformers (c.5m in height) with associated electrical equipment;
  - vi. Three banded Arc Suppression Coils (c.4m in height) with associated electrical equipment;
  - vii. Two new 110kV double circuit overhead (OHL) line / cable interface end masts (c.17m in height);
  - viii. One new 110kV double circuit overhead line (OHL) angle mast (c.17m in height);
  - ix. One temporary 110kV Overhead Line timber pole set (c.16m in height);
  - x. Temporary diversion of the existing 110kV overhead line to the temporary timber pole set (c.320m of OHL conductor);
  - xi. Diversion of the existing 110kV overhead line to the new end masts (c.510m of OHL conductor);
  - xii. 110kV underground cabling between the 110kV GIS building and the new line / cable interface end masts;
  - xiii. Associated and ancillary outdoor electrical equipment and other apparatus, including installation of underground cables and ducts;
- Site development works including provision of access roads, car parking area, lighting, telecommunications, fencing, landscaping, site services including drainage and all other ancillary works.

## **4.0 Documentation Submitted with the Planning Application**

4.1. The application was accompanied by the following documents:

- Statutory Particulars (application form, fee, notices etc.);
- EIA Screening;
- Environmental Report;

- Construction Environmental Management Plan;
- Resource and Waste Management Plan;
- AA Screening;
- Landscape Management and Maintenance Schedule;
- Flood Risk Assessment;
- Engineering Services Report;
- Planning Report, including:
  - Appendix 1 SID Screening Determination
  - Appendix 2 List of Prescribed Bodies
- Landscape Plan;
- Plans and Drawings.

## 5.0 Submissions and Observations

### 5.1. Local Authority

5.1.1. Limerick City and County Council submitted their Planning Departments Submission on the Planning Application dated 26<sup>th</sup> January 2026. In summary, the Local Authority raises no objection in principle to the proposed development. Points of note are summarised below:

#### 5.1.2. Planning Report

- The site is on lands zoned high tech/manufacturing, while the zoning does not make allowance specifically for substations, given the surrounding uses and that the proposal will transfer the load from the existing adjacent substation, it is considered acceptable in principle.
- There are no visual or scenic designations in the vicinity of the site. The proposed development would not detract from existing visual amenities in the area.

- The site is located adjacent to and above the entrance avenue and gates to Roche's Castle which is a protected structure. Predicted impact relates to the new mast adjacent to the historic entrance. The application has been reviewed by the Conservation Officer. There will be no physical impacts to the entrance avenue or entrance gates. There are potential visual impacts on the view of the entrance gates from the streetscape, however as there is an existing double pole set of comparable height in the vicinity of the proposed new mast, this visual impact is considered to be negligible. The location for the proposed new mast is at a greater distance from the entrance gate than the existing pole. The proposed location of the substation compound is acceptable and unlikely to have any architectural heritage impacts.
- The development will not increase the risk of flooding either within the site or on adjacent lands.
- While no known archaeology within the site, several previously unknown archaeological sites have been found in adjacent developments, as such conditions recommended.
- With respect to the proposed new access, the Roads Department have reviewed the application and are satisfied subject to conditions.
- With respect to surface water, the Roads Department have reviewed the application and are satisfied subject to conditions.
- With respect to foul water and water supply, note that a pre-connection enquiry has been made to Uisce Éireann and a copy of the confirmation of feasibility is included in the documentation submitted.
- Proposed lighting is considered acceptable. The Council Ecologist requests that all proposed external lighting is sensor controlled to prevent light spill.
- Ecology – Works are proposed to remove existing poles and overhead lines which traverse the meadow barley protection area. Works are therefore to occur within an area designated as protected for an FPO species, and note a previous separate planning application concerning this area concluded AA required (24/61160). Council Ecologist notes that this may give rise to complications regarding the integrity of the protected site and the potential

need for a derogation licence. Council Ecologist recommends that an appropriate condition is attached to any grant of permission.

- Natural Heritage Area - Loughmore Common Turlough (pNHA 000438) is located across the road from the site. An ecological impact assessment (EclA) is recommended to determine potential impacts on pNHA, due to potential surface water connectivity. Water quality protective measures could be conditioned.
- Development Contributions - €40 per sqm, to be secured by condition.
- Conclusion: The Planning Authority notes that the proposal is broadly supported by the Limerick Development Plan 2022-2028 in a long established industrial area within the Raheen Business Park.
- Conditions: 9 conditions are recommended, those of note are included in the summary set out above.

#### 5.1.3. Internal Departmental Consultees

- Conservation Officer.
- Archaeologist.
- Roads Department.
- Ecologist.
- Environment and Climate Action – no objection subject to condition regarding contents of resource waste management plan.

5.1.4. A summary of relevant internal department reports is also included in the planning report summary set out above.

## 5.2. **Prescribed Bodies**

### 5.2.1. Department of Housing, Local Government and Heritage

- Archaeology: The Department is broadly in agreement with the findings set out in the submitted report for the application in relation to Archaeology and Cultural Heritage. Recommend conditions regarding implementation of mitigation described in the submitted report; appointment of a project

Archaeologist; CEMP to include archaeological investigations/mitigation; copy of final archaeological report to be provided to the LPA and the Department.

#### 5.2.2. Transport Infrastructure Ireland (TII)

- Points of note with respect to the proposed transportation of any abnormal sized loads. The applicant should consult with all PP Companies, MmaRC Contractors and road authorities over haul routes to ascertain operational requirements. TII requests referral of all proposals agreed with the aforementioned bodies. Mitigation measures identified by the applicant should be included as conditions. Works (including rectification of any damage) to comply with TII requirements.
- All structures to be crossed by any exceptional abnormal load (as defined by TII) will need a full structural assessment in accordance with TII requirements.
- In relation to high voltage transmission infrastructure development, regard to be had to the 'Electricity Transmission Infrastructure Development – Roads Sector Engagement Framework' included in Department of Transport Circular RW 07 of 2025.
- Consult Limerick CC on any Greenway or Active Travel proposals in the vicinity of the site.

#### 5.2.3. Uisce Éireann

- The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility has been issued to the applicant in July 2025.
- Request conditions concerning entering into Connection Agreements with Uisce Éireann; works to be carried out in compliance with Uisce Éireann's Standard Details and Codes Practices; no permission to build over Uisce Éireann assets. Development shall not impact drinking water sources.

### 5.3. **Observers**

- 5.3.1. There was 1 objection received from Tom Ryan, and his submission is summarised below:

- A portion of the Loughmore Canal is situated on the respondents farmlands.
- The Loughmore Canal is part of the Loughmore Turlough which is hydrologically connected to the Barnakyle stream, which flows through the respondents farmland where it enters the Barnkyle River.
- The proposed development is in the Raheen Industrial Estate and Loughmore, which are hydrologically connected to the Loughmore Canal by the stormwater network, underground aquifers and rivers present in the Karst features of the estate and Loughmore.
- The respondent has been raising concerns regarding discharges into the Loughmore Canal, Barnakyle stream and river for two decades. Storm waters entering farmland from the Canal and river are polluted and flooding is caused by the volume of development allowed where the outfall for the canal and river is. Livestock have developed sores and tumours consistent with poisoning from trade effluent. State agencies have failed to protect water quality. Current investigation in its sixth year into pollution of the canal and river. All state agencies and High Court accept there is pollution. Concern the council and EPA are not testing correctly. In 2024, the respondent commissioned their own report by an environmental consultancy (appended to submission).
- Conclusions of the report include the following: *“The impacted soils detected on the canal bank and Loughmore Common pose a potential risk to grazing animals, farmers or people working on the canal. The results indicate that the nature of the contamination is largely anthropogenic in origin and classified as organic contaminations which would typically result from trade effluent or industrial activity. The sediments along the base of the canal act like a reservoir for contaminants to bioaccumulate over time. A number of contaminants including VOCs, metals (lead, chromium, copper), phenols, phthalates and hydrocarbons. The canal has been dredged in the past, and this is likely why the soils sampled from the banks of the canal have these anthropogenic compounds present as it is reported that the dredged material was deposited on the banks of the canal. The water in Loughmore Canal is in continuity with groundwater, via swallow hole and diffuse flow over the length of the canal. As such there is potential for Hazardous substances and non-*

*hazardous substances present in the waters or sediments to enter groundwater via these hydrogeological connections. The aim of the WFD is prevent the entry of hazardous substances into groundwater and reduce or limit the entry of non-hazardous substances.”*

- Reference to European Court of Justice ruling in November 2025 that Ireland is in breach of multiple obligations under the EU Water Framework Directive (Case C-204/24). (Inspector note: the submission contains detail of the judgement findings).
- Limerick Council and the EPA have been grossly negligent in the protection of waterbodies and have ignored multiple warnings in relation to Loughmore Turlough.
- Reference to the Courts comments with respect to the EPA in the aforementioned ruling.
- While ESB will argue they are not intending to discharge to Loughmore Canal, they are trenching over a large site and adjacent to Loughmore Common.
- The proposed development involves extensive civil engineering works, trenching, and drainage over Karst features. The AA screen report fails to assess the ecosystems associated with the Karst environment. Karst environments are characterised by distinctive landforms related to dissolution and a dominant subsurface drainage. The direct connection between the surface and the underlying high permeability aquifers makes karst aquifers extremely vulnerable to pollution. There are known aquifers within the site boundary of this development which goes almost to the edge of the Loughmore Common Turlough. The application is devoid of assessment for potential impacts. The ESB have a very poor record regarding the protection of groundwater when allowing fluid leakages from their cable infrastructure to damage groundwater.
- ESB will argue that they will not be using fluid filled cables their groundwater management history is a cause for major concern. The ESB project is high risk in a highly vulnerable ecosystem, and the applicant has shown a complete lack of awareness regarding the assessments required.

- The infrastructure in the Raheen Industrial Estate contains misconceptions and does not have the capacity to support the current level of development. Limerick City and County Council have allowed and continue to allow unauthorised development. The habitats and water framework directives are ignored. The local development plan is ignored. A facile investigation is underway for six years. Hazardous substances are being discharged directly to water, which is in turn connected to potable water supplies. This application will cause serious damage to a vulnerable aquifer and unique ecosystem.

## 6.0 Applicant Response

6.1. The applicant responded to submissions by way of letter dated 16<sup>th</sup> March 2026, including appended Ecological Technical Note prepared by Moore Group, and this is summarised below:

### 6.1.1. Limerick City and County Council

- Note comments in the submitted report.
- With respect to Ecology comments on AA Screening, note that it is not proposed to do any work to outfalls of the Loughmore Canal as part of the proposed development. It is ESB's understanding that the majority of works on the drainage on the Eli Lilly site and in particular the connection to the main storm water drain and culvert connected to the Loughmore Canal are already complete. Furthermore, earthworks on the Eli Lilly site are expected to be completed approximately at the end of 2026 on that site. This work will therefore not coincide with the proposed substation construction. Refer to the Ecological Technical Note prepared by Moore Group on behalf of ESB, attached to this letter for further clarification (see Appendix 1).
- In relation to the recommendation that an EclA is carried out with respect to potential impact upon the pNHA, Chapter 4 of the Environmental report submitted with the planning application presents an EclA of the proposed development in line with best practice guidance. Several ground and surface water protection measures, in line with SUDS best practice, are proposed to be in place during construction and operation as detailed in this letter and in the documents submitted with the application. Further comment with regard to

potential ecological impact on Loughmore Common Turlough pNHA is included in the Ecological Technical Note prepared by Moore Group on behalf of ESB, attached to this letter.

- With respect to requested conditions:
  - ESB notes that there is no provision for development contributions for applications made under s182A of the Act and request that ACP does not attach this condition.
  - In relation to Condition 5(a), (b) and (c), ESB understands that the guidelines for the safety audit set out in the GE-STY-01024 Section 1.2 state that the following - “This Standard sets out the procedures required to implement Road Safety Audits on National Road Schemes only”. The Environmental Report submitted with the application states that the proposed access to the substation is through a new entrance on to Roches Avenue. Roches Avenue is within the Raheen Industrial Estate and has a speed limit of 25 km/hr, so it is not anticipated that a road safety audit is necessary. In relation to the request for tactile paving, we refer to drawing PE492. D1 84-067-019-000 submitted with the application for detail. In respect of Condition 5(d), due to the future provisions catered for in the Proposed Ballycummin 110 kV Substation, all future cable routes cannot be known at this time and as such cannot be agreed with Limerick County and City Council prior to commencement of development. Prior to construction of any future underground cable, all works along the public road will be subject to a Road Opening Licence (ROL). The application for the ROL will include a full traffic management plan, the details of which will be agreed with Limerick County or City Council prior to the submission of the ROL application. Reinstatement of the works will be in accordance with the “Guidelines for Managing Opening in Public Roads (Purple Book)” and Limerick County Council’s specific requirements. In addition, ESB will comply with “Interim Guidance to Road Authorities regarding the proposed placement of Medium or High Voltage electricity assets, including ducts, cables, and associated Infrastructure under public roads” and the procedures outlined therein. These actions, or updated

actions in line with updated guidance at the time of making new customer connections, are required to occur regardless of any condition to a grant of planning permission and therefore a related condition is not considered a necessity, In relation to 5(e) as the facility will typically be unmanned, there will be visits to the site for scheduled and unscheduled inspections, maintenance and repairs as necessary. During normal operations, approximately 6 vehicle movements a week are expected to occur on average. Given that operational traffic will be limited to approximately six vehicle movements per week, the provision of additional 'STOP' signage is not considered necessary. Refer to Section 3.4.6 of the Environmental Report for further detail on site access and traffic during operation. Any construction related road traffic signage can be dealt with in the construction stage Traffic Management Plan (TMP) which, if conditioned can be agreed with the local authority in advance of commencement. Refer to Section 3.5.6 of the Environmental Report for detail on the construction traffic.

- In relation to Condition 9(c), ESB notes that as per the submitted Landscape Management and Maintenance Schedule, native hedgerow planting (92 linear metres) and native tree planting (15 no. trees), as well as wildflower meadow management, will enhance the ecological value of the site. These ecological enhancement features will provide suitable supporting habitat for mobile species present in the surrounding environment, such as birds and bats. Given the electrical nature of the proposed development, and limited footprint within ESB's ownership during the operational phase, bird and bat boxes are not considered suitable for this site, In relation to Condition 9(d), ESB note that as per the submitted Section 4.4 Planning and Environmental Considerations Report (PECR), the only works proposed within the Meadow Barley translocation area will involve manual re-stringing cables between the two re-sited cable towers. This work will be carried out with the minimum of disturbance to the grassland habitat. All plant and equipment required to re-string the lines, will set up at the mast locations outside meadow barley area.

6.1.2. Department of Housing, Local Government and Heritage (Development Applications Unit - DAU)

- ESB accepts conditions suggested by DAU.

6.1.3. Transport Infrastructure Ireland (TII)

- The submission from TII is noted.

6.1.4. Uisce Éireann

- ESB accepts conditions suggested by Uisce Éireann.

6.1.5. Observer – Tom Ryan

- Section 5.5 of the Environmental Report and Section 7 of the CEMP Submitted with the planning application detail proposed measures to prevent impact on surface and ground water in the construction phases.
- Section 3.4 of the Environmental Report and Section 3 of the Engineering Services Report, submitted along with the planning application proposes measures to prevent impact to surface and ground water during the operation phase.
- As stated in Section 5.5 of the Flood Risk Assessment and Section 5 of the AA Screening submitted with the application, the GSI mapping shows no evidence of karstification within the site boundary. Section 5.3.7 of the Environmental Report states that the GSI karst data base indicates two turloughs to the south and northwest of the site. Also, refer to the Ecological Technical Note attached at appendix 1 of this response.
- Section 5.3.5 of the Environmental Report submitted with the application states that the GSI National Draft Bedrock Aquifer Map for the site indicates that the site is predominantly underlain by a Locally Important Aquifer – Bedrock which is Generally Moderately Productive, with eastern portion of the site underlain by a Locally important Aquifer – Bedrock which is Moderately Productive only in local Zones. The proposed substation compound is located in the latter zone.
- Mitigation and monitoring in section 5.5.1.2 of the Environmental Report will prevent spills or leaks resulting in ground or surface water impact during

construction. Section 5.5.2 of the report has measures to minimise accidental discharge to solid, ground or surface water during operation, with maintenance of a robust surface and foul water drainage system.

- ESB can confirm there is no proposal to install fluid filled cables as part of the proposed development.
- Appendix 1: Ecological Technical Note: There will be no discharge of surface water to the IDA public surface water network during construction, see Sections 3.4.1 and 11.4.1 of the Environmental Report and Section 7.6 of the CEMP, which have been submitted in support of this application. IDA Eli-Lily site drainage diversion works were completed in 2025 and permitted works on that site will not coincide with the proposed development. There is no evidence of springs or karstification on the site. The level of earth movement required during construction is not likely to have a significant effect on groundwater. It may also be noted that the areas of the site located within the redline boundary in proximity to the Loughmore Common Turlough pNHA involves stringing of cables only and no groundworks. During operation, only clean surface water will be directed via a sustainable urban drainage system to a soakaway. The employment of SuDS may be considered at Stage 1 AA Screening. The proposed flow-controlled overflow from the soakaway into the IDA public surface water network to discharge the excess water may be considered an indirect, controlled, distant pathway to the Loughmore Common Canal and Barnakyle River with a high degree of dilution to the River Shannon. The findings of the submitted AA Screening Report remain unchanged.

## 7.0 Planning History

### 7.1. Subject Site

- 7.2. Permissions associated with a Biopharmaceutical Manufacturing Campus: 26/60084; 24/61160; 23/152; 22/190; and 17/1170.
- 7.3. 08/1236 – Permission granted to ESB for the construction of a 110kV to medium voltage electricity transformer station.

7.4. No other planning history of relevance to the current application.

## 8.0 Legislative and Policy Context

### 8.1. National

#### 8.1.1. Climate Action Plan 2024

8.1.2. As part of its functions, the Board must, in so far as practicable, perform its functions in a manner that is consistent with the most recent approved climate action plan, most recent approved national long term climate action strategy, national adaptation framework, sectoral plans, furtherance of national climate objective and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State [section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended)].

#### 8.1.3. National Planning Framework (NPF)

8.1.4. The NPF sets ten strategic outcomes, including NSO 1 – Compact Growth, NSO 6 – A Strong Economy supported by Enterprise, Innovation and Skills, which includes growth and investment in infrastructure, and NSO 8 – Transition to a Low Carbon and Climate Resilient Society, which includes the provision of new energy systems and transmission grides to support more distributed renewables-focused generation.

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

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

- Ensuring adequate electricity generation capacity, storage, grid infrastructure, interconnection and system services are put in place to meet demand – including at periods of peak demand; and
- Developing grid infrastructure and operating the electricity system in a safe and reliable manner.

8.1.3. Page 5 of the policy statement notes the Government has approved *“that it is appropriate for additional electricity transmission and distribution grid infrastructure, electricity interconnection and electricity storage to be permitted and developed in*

*order to support the growth of renewable energy and to support security of electricity supply”.*

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

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

8.1.6. Flood Risk Management Guidelines

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

**8.2. Regional Planning Policy**

8.2.1. Regional Spatial and Economic Strategy for the Southern Region (RSES)

8.2.2. The Southern Region RSES supports a safe, secure and reliable system of transmission and distribution of electricity and the successful implementation of the Ireland’s Grid Development Strategy (p.g.214).

8.2.3. Relevant objectives include:

- RPO 219 ‘New Energy Infrastructure’: It is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs.
- RPO 222 ‘Electricity Infrastructure’: It is an objective to support the development of a safe, secure and reliable supply of electricity and to support and facilitate the development of enhanced electricity networks and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this plan under EirGrid’s (2017) Grid Development Strategy (subject to appropriate environmental assessment and the planning process) to serve

the existing and future needs of the Region and strengthen all-island energy infrastructure and interconnection capacity.

### 8.3. **Local Planning Policy**

#### 8.4. Limerick Development Plan 2022-2028

- 8.4.1. The site is zoned High Tech/Manufacturing Campus under the Limerick Development Plan 2022-2028.
- 8.4.2. Relevant objectives include (but are not limited to) the following:
- 8.4.3. Objective IN O13 'Energy and Gas Networks' supports the provision of new energy infrastructure by infrastructure providers (subject to AA and EIA processes). Require energy transmission infrastructure to comply with best practice with regard to siting, design and least environmental impact, in the interest of landscape protection.
- 8.4.4. Objective IN O15 'Electricity Grid Development' support the Eirgrid Grid Development Strategy – Your Grid, Your Tomorrow (2017).
- 8.4.5. Objective EH O1 'Designated Sites and Habitats Directive' concerns appropriate assessment.
- 8.4.6. Objective EH O15 'Ground Water, Surface Water Protection and River Basin Management Plans' concerns the protection of water resources taking into account the requirement of the Water Framework Directive.
- 8.4.7. Objective EH O3 'Ecological Impact Assessment' requires all development where there are species of conservation concern, to submit an ecological assessment of effects.
- 8.4.8. Policy EH P1 'Protection of Natural Heritage and Biodiversity' states it is policy to protect and conserve natural heritage and biodiversity, including maintaining the conservation value of NHAs and pNHAs.
- 8.4.9. Objective EH O50 'Works to Protected Structures' states that the special character, curtilage and historic landscapes for Protected Structures should be protected and development affecting the setting of a Protected Structure should be sensitively sited and appropriately designed.

## 8.5. Natural Heritage Designations

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

- Lower River Shannon SAC, site code 002165 (2.39km);
- River Shannon and River Fergus Estuaries SPA, site code 004077 (2.67km);
- Loughmore Common Turlough pNHA (0.12km)
- Inner Shannon Estuary – Sough Shore pNHA (2.3km).

8.5.2. A Screening for Appropriate Assessment of the proposed development has been carried out in Section 10 of this report below in relation to potential impacts on designated European sites.

## 8.6. Environmental Impact Assessment Considerations

8.6.1. The requirements for Environmental Impact Assessment (EIA) are outlined in Part X of the Planning and Development Act 2000 (as amended) and Part 10 of the Planning and Development Regulations 2001, as amended. Schedule 5 of the Regulations sets out the various classes and thresholds of development which require mandatory EIA. Part 1 of Schedule 5 lists projects for which mandatory EIA is required on the basis of their type while Part 2 of the same schedule lists projects on the basis of their relevant scale/size threshold that requires EIA.

8.7. The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIAR Screening Report and I have had regard to the same. The report concludes that the proposed development does not reflect the criteria for mandatory EIA and that a sub threshold Environmental Impact Assessment Report (EIAR) is not required in this instance as the proposed development will not have significant impacts on the environment.

8.7.1. There are no classes of development within Part 1 of Schedule 5 of the Regulations, that are applicable to the proposed development.

- 8.8. Section 3(a) and 10 in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- 3(a). Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more.
- 10(a). Industrial estate development projects, where the area would exceed 15 hectares.
- 8.9. The proposed development will comprise an electrical substation that will support electricity distribution, but with no energy generation, and while located in the Raheen Business Park industrial estate, the site is 5.45ha and therefore below the 15 hectare threshold. As such, the proposed development does not trigger the requirement for EIA under the above classes.
- 8.10. Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that an EIA is required for: “Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”
- 8.11. The proposed development is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended), in that it is on an industrial estate with a site area less than 15 hectares and does not involve energy generation. I also note that the uses proposed are in keeping with land uses in the area and that the development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents.
- 8.12. The criteria at Schedule 7 to the regulations are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment that could and should be the subject of EIA. Section 299B(1)(b)(ii)(II)(A) of the regulations states that the Commission shall satisfy itself that the applicant has provided the information specified in Schedule 7A. The submitted EIA Screening Report addresses the information under Schedule 7A.

8.13. It is my view that sufficient information has been provided within the documentation to determine whether the development would or would not be likely to have a significant effect on the environment. The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts regarding other permitted developments in proximity to the site, and demonstrates that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to Schedule 7A and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Covering letters, notices, doc. register and planning report;
- AA Screening Report;
- Construction and Environmental Management Plan (CEMP);
- EIA Screening;
- Engineering Services Report;
- Flood Risk Assessment;
- Landscape Management Plan;
- Landscape Plan;
- Planning Report;
- Resource Waste Management Plan;
- Drawings.

8.14. In addition I have taken into account the SEA of the Development Plan.

8.15. I have completed a screening assessment as set out in Appendix 1 of this report and recommend to the Commission that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report (EIAR) would not therefore be required. The conclusion of this assessment is as follows:

8.16. Having regard to: -

(a) the nature and scale of the proposed development.

(b) the location of the site on lands zoned High Tech/Manufacturing Campus under the Limerick Development Plan 2022-2028.

(c) The pattern of development in surrounding area.

(d) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended).

(e) 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).

(f) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended); and

(g) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Environmental Report, AA Screening Report, and CEMP.

8.16.1. It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required. I recommend that a screening determination be issued accordingly, confirming that no EIAR is required.

## 9.0 **Assessment**

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

- Principle of development
- Design and visual impact
- Amenity
- Movement and access
- Ecology
- Water connections, drainage and flood risk
- Other issues

### 9.2. **Principle of development**

- 9.2.1. The Local Planning Authority raises no objection to the principle of the proposed development for a 110kV substation and associated works on the site. With the intention that the proposed substation will reduce load stress on the existing Limerick 110kV/38kV substation.
- 9.2.2. National, regional, and local planning policy all support the provision of electricity infrastructure to support transmission and distribution of this energy via national grid. The site is zoned High Tech/Manufacturing Campus under the Limerick Development Plan 2022-2028 with the associated objective: To provide for office, research and development, high technology, regional distribution/ logistics, manufacturing and processing type employment in a high quality built and landscaped campus style environment. The proposed development is a non-conforming use, as it is not provided for under either the zoning matrix or objective for the site. Page 390 of the Development Plan states that “Non-Conforming Uses are uses which do not conform to the zoning objective for the area in which they are located. Where legally established, extensions or improvements to these uses shall be considered on their merits on a case-by case basis, where they do not adversely affect the amenities of properties in the vicinity and are not prejudicial to proper planning and sustainable development.”
- 9.2.3. I note that the Local Planning Authority state in their response to the application that “while neither the zoning objective or zoning matrix make allowances specifically for substations, given the surrounding uses and the fact that the proposal will transfer the load from the existing adjacent substation the proposed development is considered acceptable in principle.”
- 9.2.4. I am satisfied that the proposed development is acceptable as a non-conforming use under the zoning for the site, as it reflects established development in the area and will not adversely affect the amenities of properties in the vicinity (see wider assessment set out in this report below regarding the same).
- 9.2.5. I am also satisfied that the principle of a 110kV substation is in accordance with the overarching planning policy framework, particularly RPO 219 and 222 of the RSES, and Objective IN O13 of the Limerick Development Plan 2022-2028.

### 9.3. **Design and visual impact**

- 9.3.1. The proposed development comprises the removal of existing electrical infrastructure, specifically four c.15m high overhead lines and conductor, and associated transformer from the site, and construction of a new substation compound over an area of c.5,950sqm. A detailed description of the proposed development is set out in section 3 above, the main elements comprise a proposed 110kV GIS building c.12m in height, c.29m in length and c.8.66m deep. An additional 38/20kV GIS building c.7m in height and 110kV overhead lines (including 2 end masts) c.17m in height. Underground cabling between the GIS building and new line masts is also proposed.
- 9.3.2. The proposed development will primarily comprise structures in concrete, aluminium and steel, reflecting the established materiality and industrial character of the area. While the proposed structures will be visually prominent, given the site context, including existing electrical infrastructure and substation, the proposed development will be easily visually absorbed into the streetscape.
- 9.3.3. In relation to more sensitive features proximate to the site, residential dwellings are situated to the north along the R526. However, these dwellings are sufficiently removed from the main structures for the proposal, with vegetation screening along the road and industrial warehousing structures situated in the intervening area. The closest elements of the proposed development to these dwellings relate to overhead lines, which will replace existing similar lines in similar locations, with negligible alteration to visual impact in this regard. Section 9 of the submitted Environmental Report for the application deals with Landscape and Visual. This identifies that with respect to visual amenity, the closest residential dwellings located along the R526 will benefit from visual screening from established boundary treatments along the northwestern boundary, and that in any case, the majority of construction works will take place away from the R526, limiting visual and amenity impact as a result.
- 9.3.4. Approximately 160m to the south of the site is Roches Castle, Registered Protected Structure Number 1671 (NIAH Reg. No. 21901309, Regional Importance), a country house built in c.1830 and situated on an open grassland area for the Regeneron pharmaceutical campus within the Raheen Industrial Estate. The original entrance gates and avenue for the 'castle' is traversed by the subject site where it meets the R526.

- 9.3.5. The Local Authority report refers to the assessment of the Council's Conservation Officer, which highlights that there is potential for visual impact upon the view of the entrance gates and avenue (on the R526) as a result of the proposed mast for the development. However, the Conservation Officer states that as there is an existing double pole set of comparable height in the vicinity of the proposed new mast, visual impact upon the Protected Structure is considered to be negligible.
- 9.3.6. With reference to Objective EH O50, I am satisfied that the proposed development will not adversely effect the special character of the Protected Structure. The 'castle' itself is sufficiently removed from the proposed development site. I note that the original entrance gate and avenue for the 'castle' are traversed by the northern section of the site, however the proposal relates to overhead lines in this location which will replace existing similar features, with negligible alteration with respect to visual impact as a result. In light of the existing built context surrounding the Protected Structure (including entrance / avenue), no negative visual effects will result from the proposed development, including from the proposed mast. There will also be no impact as a result of the proposed substation compound upon architectural heritage.

#### 9.4. **Amenity**

- 9.4.1. There are existing residential dwellings to the north of the site on the R526. The submitted Environmental Report for the application identifies potential amenity impacts, particularly with respect to interactions in section 12. This states that there is potential for waste generated during construction to result in littering and vermin, which would have negative impact upon residential amenity. In addition, the potential for traffic during the construction could have a negative impact upon residential amenity as a result of increased vehicle movements, particularly HGVs, increasing queuing, congestion and conflict with pedestrians/cycles and residential traffic. However, mitigation in the form of the submitted RWMP (Resources Waste Management Plan) will ensure appropriate management of waste, and construction phase traffic mitigation set out in section 11.5.1 of the Environmental Report and CEMP (which can be secured by condition), will ensure effects are reduced.
- 9.4.2. During operation, amenity impacts are limited due to the unmanned nature of the proposed development and its location, being removed from more sensitive

residential dwellings and situated within the existing industrial estate in a context of established similar development.

- 9.4.3. As outlined in section 9.3 above, with respect to visual amenity, the proposed development is largely removed from the closest sensitive receptors with established visual screening buffers in the intervening area. While proposed works closest to the R526 will be proximate to residential dwellings, these relate to overhead lines and cables, which reflect the existing context in this location. Some disturbance during construction will be inevitable, with the most significant sources of impact highlighted in the preceding paragraph, but these effects will be temporary and appropriately managed through the application of mitigation in the submitted RWMP and CEMP. Overall, I am satisfied that the proposed development is acceptable with respect to potential impact upon amenity.

#### 9.5. **Movement and access**

- 9.5.1. The submitted Environmental Report identifies potential traffic impacts resulting from the proposed development during both the construction and operation phase. Primarily, traffic effects will result during the construction phase, with increased traffic movements associated with construction vehicles, including from workers and HGVs.
- 9.5.2. Section 6 of the submitted CEMP outlines that a traffic management plan will be developed for the proposed development during construction to agree vehicle routes and mitigation measures, such as pedestrian marshals, with the Local Planning Authority. This can be secured by condition should Commissioners agree with this approach. The CEMP commits to undertaking works on the site in accordance with best industry practice (page A-13), with construction traffic limited to 0700 to 1900 Monday to Friday and 0800 to 1400 on Saturdays (with variation subject to prior approval by the council). Measures to control traffic queuing are also outlined.
- 9.5.3. During operation, the proposed development will be unmanned and will attract approximately 6 vehicle movements a week at most, which will have imperceptible effect upon the traffic network. Access to the site is proposed via a new entrance from Roches Avenue.
- 9.5.4. The submission from TII relates primarily to abnormal roads, and the applicant has indicated acceptance of points raised with respect to adherence to TII requirements.

- 9.5.5. The Local Authority submission includes conditions recommended by the Roads Department. The applicant has addressed these requested conditions in their response, and this is summarised in section 6 above. In this respect, I note that the new entrance proposed from Roches Avenue is not situated on a National Road and therefore there is no requirement to implement a Road Safety Audit. In addition, the proposed access is minor and will be utilised infrequently as the proposed development is unmanned. Submitted drawing PE492. D1 84-067-019-000 also illustrates detail of this arrangement, including proposed drop kerbs and tactile paving. I am therefore satisfied that no further detail is required in this regard. I am also satisfied with the applicant response with respect to future provisions for underground cabling, that additional 'stop' signage is not necessary and that construction phase traffic mitigation will be finalised through the final TMP, which can be required by condition.
- 9.5.6. Overall, I am satisfied that final construction stage traffic mitigation can be secured by condition relating to a CEMP (including TMP) to be agreed with the Local Planning Authority. During operation of the proposed development, I am satisfied with submitted details and that no significant negative effects will result to the operation of the transport network.

## 9.6. Ecology

- 9.6.1. I set out an AA Screening in section 10 and Appendix 2 of this report below with specific consideration of potential effects upon designated European sites, which should be read in conjunction with this section of my report. More general considerations of ecology are set out below. I note points raised with respect to ecology in the Local Authority submission, and this is addressed as part of my assessment below.
- 9.6.2. The submitted Environment Report addresses biodiversity in section 4. The lands on which the proposed substation is to be constructed comprise an area of hardstanding in use for the storage of construction materials for the Eli Lilly development (underway) and an area of grassland adjacent to the northeast. Where it is proposed to re-site cable towers, footprints consist of hard standing for the western end and recently deposited earth mounding at the eastern end. Between these, there is a fenced and signposted area of grassland where translocated

Meadow Barley has been propagated (Meadow Barley Translocation Area - MBTA). It is proposed that restrung electrical wires will cross this area as they section between the western and eastern cable towers, as well as traversing the R526 road and hedgerow boundaries.

- 9.6.3. The submitted Environmental Report outlines the results of flora and fauna surveys undertaken of the site. Potential impacts of the proposed development are discussed from section 4.4 of the submitted report. With respect to the MBTA, this was established as part of the permitted Eli Lilly development (Ref. 22/190) under NPWS licence (No.FL07/2022). The MBTA lies within the proposed development boundary. Works within this area are confined to the re-stringing of cables, and will not significantly effect the grassland habitat.
- 9.6.4. In relation to other habitats, during construction there will be loss of a small area of dry meadows as a result of the footprint of the proposed substation, however this has been subject to poor management, and only slight negative effect is anticipated. There will also be loss of areas of fringing hedgerow, between 4-5m, with side of the cable and drainage routes for the proposed development. However this is a small proportion of the overall hedgerow length of between 45-65m, and would result in only a slight negative effect.
- 9.6.5. In terms of potential effect upon fauna, this is limited given the existing context of the site. The submitted report identifies that surveys revealed that there are no records of badgers or otters (or suitable otter habitat) on the site. In addition, no potential roost features in mature trees were identified within the site boundary. There will be minor loss of grassland and sections of hedgerow as identified above, which will have slight negative effect upon birds that utilise these habitats.
- 9.6.6. During operation, due to the site condition, there are no predicted negative effects upon habitats, and imperceptible effect predicted with respect to fauna. A Landscape Plan is proposed to be implemented for the site to increase biodiversity where possible, with potential for slight positive impacts upon ecology.
- 9.6.7. In terms of mitigation, this is outlined from section 4.5 of the submitted Environmental Report and includes recourse to existing management plans, submitted CEMP, and conditions of the NPWS licence with respect to the MBTA. Landscape management is also proposed to offset potential impact upon other

habitats. In line with the submitted CEMP, key ecological receptors, such as the hedgerows, will be cordoned off with appropriate set back distances as advised by an environmental / ecological clerk of works. In addition, any trees with potential roosting features for bats will be checked in advance of works by an experienced ecologist and bat-sensitive lighting will be utilised by the development. Cutting of vegetation will be undertaken outside of the bird nesting season (March – August), where possible, with pre-construction nest checks by an experienced ecologist. Following the construction phase, bat sensitive lighting will continue to be operated. Section 4.6 of the submitted report outlines monitoring and reinstatement measures for hedgerows, grass seeding, weeding and replacement planting and there are no significant in-combination effects identified.

- 9.6.8. Overall, I am satisfied that no significant negative effects are anticipated upon biodiversity during either construction or operation of the proposed development.
- 9.6.9. With respect to the ecology matters raised by the Local Authority, I note the minor nature of the works proposed within the MBTA, with no notable negative effect anticipated upon the habitat. As a result, I am satisfied with the approach set out under the submitted application and that a derogation is not anticipated. However the developer's responsibility to obtain derogation remains should matters alter during construction, and this is a responsibility that persists outside of the planning process. As a result, I am not recommending a condition in this regard.
- 9.6.10. I note that the Local authority recommends an ecological impact assessment (EclA) is carried out to assess potential surface water connectivity with respect to the Loughmore Common Turlough (pNHA 000438). The applicant response states that Chapter 4 of the submitted Environmental report presents an EclA of the proposed development, and that SUDS are also proposed during construction and operation. I also note that the works proposed in the area of the site closest to the Loughmore Common Turlough pNHA (which is situated c.1km away from the site), comprises the stringing of cables only and no groundworks. The applicant's response states that the proposed flow-controlled overflow from the soakaway into the IDA public surface water network to discharge the excess water may be considered an indirect, controlled, distant pathway to the Loughmore Common Canal and Barnakyle River, with a high degree of dilution to the River Shannon. I set out an assessment of drainage and water connections in section 9.7, an AA Screening in section 10 and

Appendix 3, as well as an assessment in light of the Water Framework Directive in Appendix 2. I am satisfied that the proposed development will not generate significant adverse effect with respect to water quality and that there is no need for an EclA in this regard, in consideration of the pNHA, as requested by the Local Authority. I also accept the applicant's position that section 4 of the submitted Environmental Report is sufficiently comprehensive and has informed my assessment of potential effects upon biodiversity as set out here.

9.6.11. I also note that the Local Authority recommend that water quality protective measures can be conditioned. These standard construction management SuDS measures form part of the development as described in the application documents and included in the assessment set out in section 9.7 below. I concur that conditions can be relied upon to secure these details as submitted.

## 9.7. **Water connections, drainage and flood risk**

### 9.7.1. Water connections

9.7.2. Section 2.2 of the submitted Engineering Report confirms that there are currently two existing IDA owned surface water drainage pipes located within Roche's Avenue. It is proposed to discharge foul water generated by the welfare facilities in the substation building to this existing IDA owned foul water infrastructure within the northern footway of Roche's Avenue. A new foul sewer is proposed to convey wastewater to the existing infrastructure.

9.7.3. Wastewater will be generated in relation to the use of welfare facilities which form part of the proposed development. These welfare facilities include one toilet, one hand basin, and two eye wash stations. As the proposed development will be unmanned, only small quantities of foul waste will be generated in association with maintenance and repair visits by small crews. Pages 13 and 14 (and Appendix F) of the submitted Engineering Services Report outline predicted foul loading and design. Uisce Éireann indicated that they do not have any infrastructure within the area for wastewater. The proposed pipe the subject site will discharge to is in the ownership of the IDA and the applicant (ESB) have received confirmation from the IDA that the subject site can discharge into the pipe. Uisce Éireann have issued a Confirmation of Feasibility and requests standard conditions are attached with respect to this connection.

- 9.7.4. I note the submission from Tom Ryan with respect to potential discharges from the site and adverse effect upon the hydrological network of the area which would effect his farmland. I also note the report by an environmental consultancy appended to his submission, and I address this further below.
- 9.7.5. The submission notes ongoing issues with water quality being discharged from the Industrial Estate into the Loughmore Canal, and from there to the Barnakyle River, and issues with flooding due to water volumes discharging from the Industrial Estate. However, I note the nature of the development which consists of a substation with welfare facilities comprising a very minor extent of the scheme. The proposed development incorporates a toilet and wash basins with minimum foul water generated as outlined in section 3.3 of the submitted Engineer Report. I am satisfied that the volume of foul water associated with the proposed development will have a negligible effect upon overall loading of wastewater infrastructure for the industrial estate. As such, there is no likelihood of any impacts on water quality or quantity as a result of this development.
- 9.7.6. I have set out an assessment of the potential effects of the proposed development in light of the requirements of the Water Framework Directive in Appendix 2 of this report and AA Screening is set out in section 10.
- 9.7.7. In relation to water supply, the submitted Engineering Services Report identifies an existing Uisce Éireann 300mm diameter watermain within Roche's Road which it is proposed to connect to. Uisce Éireann have issued a Confirmation of Feasibility in this regard and requests standard conditions relating to proposed connection works.
- 9.7.8. I am satisfied that proposed water and wastewater arrangements for the welfare facility within the proposed development are acceptable, subject to the attachment of standard conditions requested by Uisce Éireann relating to connection to existing infrastructure.
- 9.7.9. Drainage
- 9.7.10. During construction, the submitted CEMP and Environmental Report outline that surface water discharge will be controlled and managed, with a temporary drainage system installed to collect runoff prior to establishment of the permanent attenuation system. The Environmental Report states that in the absence of mitigation, rainfall run-off and potential dewatering water during construction phase may contain

increased silt levels or other pollutants from construction activities, which could pose a potential risk of discharge into exposed surfaces, percolating to underlying groundwater. Measures to mitigate and control risk to surface water and ensure pollution control are set out in section 5.5.1.2 of the Environmental Report. Mitigation includes use of use of bunded storage areas, spill protection equipment, separation to surface waters / drainage points and no direct discharge to watercourses. With the application of these standard construction mitigation measures, no significant adverse effects are anticipated to arise from the proposed development with respect to drainage during construction.

9.7.11. Surface water drainage proposals are set out from section 2.4 of the submitted Engineering Services Report. It is proposed that drainage from the proposed development is collected on site by a dedicated-drainage network before being discharged to a proposed soakaway. The drainage proposals are design to mimic natural drainage patterns in accordance with SuDs, with a greenfield runoff rate. Permeable surface within the substation compound will runoff to soil.

9.7.12. Flood Risk

9.7.13. The application includes a Flood Risk Assessment which identifies the existing context with respect to flood risk for the site and any potential impact as a result of the proposed development. The report identifies the location of historic flooding in the area, with no events recorded on the subject site or immediate surrounds. The site is located within Flood Zone C with the closest watercourse c.1km to the south of the site in the form of a tributary of the Barnakyle River. The Barnakyle River itself is located c.2.4km to the west of the site. With respect to CFRAM mapping, the site is located outside of the 0.1% AEP flood, and due to the distance to the Barnakyle River tributary, there is no associated flood risk with that watercourse. With respect to drainage, there is no previous flood history associated with the nearest OPW maintained arterial drainage network for the site. There is also no coastal flood risk associated with the site.

9.7.14. In terms of pluvial flood risk, the submitted report confirms that surface water drainage systems consistent with the criteria set out in the Greater Dublin Strategic Drainage Study (GDSDS) Code of Practice for Developers, and Limerick City and County Council Surface Water/ SuDs Specification 2022, will be incorporated

(Pg.19). There are no known previous pluvial flood events for the site, and the site is not considered to be at risk of pluvial flooding. There is also no groundwater flood risk identified. The effect of climate change upon flood risk is considered in section 5.6 of the submitted report. This confirms that the site lies outside of predicted flood zones for future scenarios taking into account climate change.

- 9.7.15. Surface water proposals for the site include storage for up to the 1 in 100 year rainfall event and discharge at a controlled rate to replicate greenfield conditions. The proposed development will not result in loss of floodplain, and the site comprises previously built-up land.
- 9.7.16. Overall, I am satisfied that the proposed development is acceptable in this location, which is not at risk of flooding, and that the proposal will not increase the current flood risk to surrounding areas.

## 9.8. **Other matters**

### 9.8.1. Archaeology

- 9.8.2. The DAU and Local Planning Authority recommend conditions with respect to archaeology. Section 8 of the submitted Environmental Report considers potential impact upon archaeology as a result of the proposed development.
- 9.8.3. The site is not situated within a designated archaeological zone. The submitted report identifies recorded archaeological and architectural heritage within a 500m radius of the subject site, including ringforts, medieval settlements, and post medieval trackway.
- 9.8.4. The results of previous geophysical survey of the wider industrial site area is also highlighted, with the identification of archaeological remains, including two monuments (SMR No.LI13-234 'Anomaly 1A' and SMR No.LI13-232 'Anomaly 1B'); two areas of archaeological activity previously identified under licence 18E0153 (Anomalies 1D and 1C); areas of potential archaeological significance that might be geological or modern in nature (Anomalies 7A-E, 7G, 7H 7J, 7L-7M, 7O-7T); a concentration of responses that might represent a possible house site (Anomalies 7F, 7I, 7U, 7V, 7W, 7X, 7Y, 7Z, 7AA and 7AB); potential field access lanes or boundaries (Anomalies 5A-5G, 5J, 5K, 2A-2G, 2J); drain systems (Anomalies 3A-3C); and modern anomalies such as former haul roads (Anomalies 4A-4C), agricultural

furrows/plough marks (Anomalies 6A-6C). The subject site forms part of this wider area that has been subject to previous survey and test trenching. No archaeological features were identified on the subject site during previous test trenches.

9.8.5. While there are no recorded archaeological features of the site and the majority of the site is within previously built up land, the submitted report identifies that there is potential for previously undiscovered archaeological features to be uncovered.

Therefore, a programme of archaeological investigations, testing, monitoring and remedial measures are included as mitigation to ensure that there is no significant effect upon archaeology as a result of the proposed development.

9.8.6. I am satisfied that with the inclusion of archaeological mitigation to be secured by condition, appropriate measures will be undertaken on the site with respect to archaeological investigation and preservation in the event that features are discovered. A copy of a report recording archaeological investigation and monitoring of the site can also be secured by condition to be submitted to the Local Planning Authority, should the Commission agree with this approach.

9.8.7. Planning Authority Conditions

9.8.8. It is noted that the planning authority and prescribed bodies, seek the imposition of conditions should the Commission be minded to approve the proposed development.

9.9. The majority relate to the continued engagement between the applicant and planning authority or prescribed body and are addressed in my report above.

9.10. Table 1 below sets out the 9 no conditions recommended by the Local Authority as set out in the Chief Executive’s Report. In the table I also provide commentary on whether these conditions would be applicable to any recommended grant of permission.

Conditions recommended by the Local Authority as set out in the Chief Executive Report	Commentary
1. Development to be carried out in accordance with plans lodged.	Covered by condition 1 included as part of my recommended conditions below.
2. Financial contribution.	I note the applicant’s response with respect to this matter as summarised in section 6 of this report above, and the assertion that such a request is not covered by legislation. Financial contributions are not routinely applied to substations and transmission lines, and there

	are no specific provisions under the Limerick Development Plan or Contributions Scheme. In addition, the Chief Executive Report does not highlight specific provision in this regard. As such, I have not included a condition in this regard.
3. (a) Hours of construction works, no surface water discharge into public roads / sewers etc. Adequate parking during construction and deliveries off-peak. (b) Wheel washing.	As part of my recommended conditions below, condition no.10 concerns construction hours which reflect the local planning authority's request; condition no.9 concerns construction management and the submission of details regarding drainage, parking and wheel washing. Condition no.5 also concerns drainage.
4. Clearance of vegetation outside bird nesting season.	This is covered by condition no.3 in my recommended conditions below.
5. Road Safety Audit.	I have addressed this in my report at section 9.5.5 above and I am satisfied that given the context of the proposal, no mitigation is required in this respect.
6. Surface water drainage and SUDs.	This is covered by condition no.5 in my recommended conditions below.
7. Archaeology.	This is covered by condition no.7 in my recommended conditions below.
8. Resource Waste Management Plan.	This is covered by condition no.11 in my recommended conditions below.
9. (a) Vegetation removal to include timing of works around bird nesting and bat activity season. (b) External lighting to be sensed controlled. (c) Installation of bird and bat boxes. (d) Survey and assessment of impacts to meadow barley area.	Vegetation removal with respect to birds is addressed in my recommended condition no.3. As assessment of impact and mitigation with respect to bats has been included above (section 9.6) and is set out in the submitted Environmental Report, with mitigation in this report secured under condition no.2 below. In relation to external lighting, this is covered by recommended condition no.4 below. In relation to bird and bat boxes, I note the applicant response on this (section 6 above) and that such inclusion is not deemed appropriate given the context of the development. I am also satisfied that the assessment set out in this report fully considers birds and bats and no further mitigation, beyond that set out in the submitted Environmental Report and recommended conditions below, is required. Similarly, in relation to the meadow barley area, this has been fully considered in my Stage 1 Screening Assessment below (Appendix 3) and section 6 of my report above, and no further mitigation is required.

## 10.0 **Appropriate Assessment**

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

10.2. I have had regard to submissions in relation to the potential impacts on European sites, as part of the Natura 2000 Network of sites.

10.3. In relation to the submission by Tom Ryan, I note concerns raised with respect to impact upon water quality, Karst features and groundwater, and the assertion that this is not adequately addressed in the submitted AA Screening Report. I also address interrelated concerns raised in the submission with respect to the WFD in section 9.7 above which should be read in conjunction with this section of my report with respect to drainage considerations. The applicant's response to this submission reinforces the information set out in the submitted documentation for the application. I note that the submission includes an appended technical consultant report with respect to water quality investigations, albeit not related to the specifics of the proposed development and described more generally. My detailed screening for AA is set out in Appendix 2 of this report, with conclusions outlined below. I also set out an assessment in light of the WFD in Appendix 2 below.

### 10.4. **Stage 1 Screening for Appropriate Assessment**

10.5. Appendix 2 attached to this report sets out a detailed screening for AA and should be read in conjunction with this section of my report.

### 10.6. AA Screening Conclusion

10.7. 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, Lower River Shannon SAC and River Shannon and River Fergus Estuaries

SPA, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

10.8. This determination is based on:

- (i) Scientific information provided in the Screening report
- (ii) The scale of the development on fully serviced lands
- (iii) Distance from and weak indirect connections to the European sites
- (iv) No ex-situ impacts on wintering birds
- (v) No significant impact in terms of site-specific conservation objectives for the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA or any other European site.

## 11.0 Conclusion

11.1. The proposed development comprises a 110kV substation and ancillary structures. National, regional and local planning policy all support the provision of infrastructure to support transmission and distribution of energy via national grid. The proposed development would not give rise to excessive traffic generation, traffic hazard or endanger the safety of other road users, either during the construction or operational phase. The proposed development also does not give rise to any significant negative residential amenity, archaeological / heritage, drainage or ecological impacts.

11.1.1. Overall, the proposed development conforms with national, regional and local planning policies.

## 12.0 Recommendation

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

## 13.0 Reasons and Considerations

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

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

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

- European legislation, including of particular relevance:
  - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
  - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
  - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
  - National policy with regard to the development of electricity infrastructure, particularly the NPF First Revision 2025 and NSO 1, NSO 6, and NSO 8.
  - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
  - Regional Spatial Economic Strategy for the Southern Region;
- Limerick Development Plan 2022-2028.

- Other relevant national policy and guidance documents.
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites.
- The Natura Impact Statement submitted.
- The submissions and observations made in connection with the planning application.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment.

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning and related policy, it would not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.1. **Appropriate Assessment – Stage 1**

The Commission noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Commission accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives. The Commission was satisfied that the proposed development, either individually or in combination with other plans or

projects, would not be likely to have a significant effect on the following European Sites: Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA or any other European site, in view of the site's Conservation Objectives. This screening determination is based on the following: Scientific information provided in the Screening report; the scale of the development on fully serviced lands; distance from and weak indirect connections to the European sites; no ex-situ impacts on wintering birds; no significant impact in terms of site-specific conservation objectives; as well as the lack of any other pathway or link to any European sites.

## 14.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The mitigation measures contained in the submitted Environmental Report shall be implemented.</p> <p>Reason: To protect the environment.</p>
3.	<p>Any clearance of vegetation from the development site shall only be carried out in the period between the 1st September and the end of February (outside of the main bird breeding season).</p>

	Reason: In order to avoid disturbance or destruction of nests, nestlings and breeding birds.
4.	<p>External lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. External lighting shall be of a type that ensures deflection of light downwards and cowled. External lighting at substation compounds to be sensor controlled to prevent light spill.</p> <p>Reason: In the interest of amenity and public safety.</p>
5.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
6.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
7.	<p>The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the</p>

	<p>implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].</p> <p>The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.</p> <p>Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
8.	<p>The developer is required to comply with TII requirements with respect to any abnormal loads associated with the development.</p> <p>Reason: In the interest of traffic safety.</p>
9.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Environmental Management Plan (CEMP), which shall be adhered to during</p>

	<p>construction. This plan shall provide details of intended construction practice for the development including adequate on site car parking, wheel washing facilities, drainage, noise and dust management measures and off-site disposal of construction/demolition waste. The location of any and all archaeological or cultural heritage constraints shall also be included, alongside relevant mitigation measures. A Construction Traffic Management Plan shall form part of the CMP.</p> <p>Reason: In the interest of public safety and amenity.</p>
10.	<p>Site development and building works shall be carried out between the hours of 8.00am and 8.00pm Mondays to Fridays inclusive, between 8.00am to 4.00pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>
11.	<p>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Rachel Gleave O'Connor  
Senior Planning Inspector

19<sup>th</sup> May 2026

## 15.0 Appendix 1: EIA Screening

### 15.1. Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323893
<b>Proposed Development Summary</b>	Proposed construction of a new 110 kV substation
<b>Development Address</b>	Roches Avenue, Raheen Business Park, Limerick, County Limerick
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Schedule 5, Part 2  10. Infrastructure projects:  (a) Industrial estate development projects, where the area would exceed 15 hectares.</p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input checked="" type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

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

15.2. Form 3 - EIA Screening Determination

<b>A. CASE DETAILS</b>		
<b>An Coimisiún Pleanála Case Reference</b>	<b>323893-25</b>	
<b>Development Summary</b>	<b>Proposed development construction of a new 110 kV substation</b>	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1. Was a Screening Determination carried out by the PA?</b>	<b>N/A</b>	<b>Direct Application, Section 182A of the Planning and Development Act 2000 (as amended).</b>
<b>2. Has Schedule 7A information been submitted?</b>	<b>Yes</b>	
<b>3. Has an AA screening report or NIS been submitted?</b>	<b>Yes</b>	
<b>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?</b>	<b>No</b>	
<b>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</b>	<b>Yes</b>	<b>SEA undertaken in respect of the Limerick Development Plan 2022-2028. An AA Screening Report and Environment Report have been submitted with reference to the Habitats Directive. A Flood Risk Assessment refers to the floods Directive. An EIA Screening Report is submitted and refers to the EIA Directive.</b>

<b>B. EXAMINATION</b>	<b>Yes/ No/ Uncertain</b>	<b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b>  (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)  <b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	<b>Is this likely to result in significant effects on the environment?</b>  <b>Yes/ No/ Uncertain</b>
<b>This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith</b>			
<b>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</b>			
<b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?	<b>No</b>	<b>The proposed development comprises a 110kV substation, an existing substation is on the south side of Roches Avenue while the new substation is proposed on the north side of Roches Avenue. The general area is made up of high tech/manufacturing and industrial uses.</b>	<b>No</b>
<b>1.2</b> Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	<b>Yes</b>	<b>The site is situated in an industrial estate. The proposed development will require site clearance, including removal of exiting overhead line timber poles on the site and</b>	<b>No</b>

		<b>construction of a new substation compound. No change to topography, land use or waterbodies is proposed. There are no waterbodies proximate to the site. The site is situated in an urban built up area characterised by warehouse structures and hardstand areas set in landscaped areas.</b>	
<b>1.3</b> 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?	<b>Yes</b>	<b>Construction works will necessitate the use of natural resources for construction materials and the use of energy for machinery. Construction materials will be typical of such development. However, this is not on a significant scale at either national or county level.</b>	<b>No</b>
<b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	<b>Yes</b>	<b>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. During operation proposed backup generator and power transformers introduce a potential risk of spills and leaks, however such impact would not be significant and adequate surface water drainage will prevent adverse effects.</b>	<b>No</b>
<b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	<b>Yes</b>	<b>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be</b>	<b>No</b>

		<p>typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. Construction waste can be managed via a Construction and Demolition Waste Management Plan to obviate potential environmental impacts. Other significant operational impacts are not anticipated.</p>	
<p><b>1.6</b> 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?</p>	<p><b>Yes</b></p>	<p><b>Risk of contamination associated with construction activities which involve the use of fuels. During operation proposed backup generator and power transformers introduce a potential risk of spills and leaks. Proposed surface water management systems as required of a project of this scale will prevent the escape of potential pollutants from the site. With the application of mitigation, no contamination will result during either construction or operation.</b></p>	<p><b>No</b></p>
<p><b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p><b>Yes</b></p>	<p><b>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction and Environmental Management Plan. No significant operational impacts anticipated.</b></p>	<p><b>No</b></p>

<p><b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p><b>No</b></p>	<p><b>Construction activity is likely to give rise to noise and dust emissions; however such emissions would not be significant and would not impact human health. These construction impacts would be temporary and localised in nature, and the application of a Construction and Environmental Management Plan would satisfactorily address potential impacts on human health. Risks to surface water run-off is addressed through mitigation. No significant operational impacts are anticipated.</b></p>	<p><b>No</b></p>
<p><b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?</p>	<p><b>No</b></p>	<p><b>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature.</b></p>	<p><b>No</b></p>
<p><b>1.10</b> Will the project affect the social environment (population, employment)</p>	<p><b>No</b> \\Aa</p>	<p><b>The proposed development is for an unmanned substation, representing an intensification of existing land use, with negligible change to the social environment. While there will be some employment during construction, this will not be significant.</b></p>	<p><b>No</b></p>
<p><b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p><b>No</b></p>	<p><b>The proposed development is confined to a substation development in an existing built-up area which is not expected to undergo significant change in the immediate period. Potential for cumulative effects are addressed in the submitted EIA Screening Report, no significant effects are identified.</b></p>	<p><b>No</b></p>

## 2. Location of proposed development


<p><b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> <li>- European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>- NHA/ pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- 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</li> </ul>	<p><b>No</b></p>	<p><b>Section 8.5 of this report outlines the proximity of the site to surrounding designated sites. The site is not located in, or adjoining, any designated site. Potential for effect upon Natura 2000 sites is addressed in the submitted AA Screening Report. No likelihood of significant effect is identified and there is no need for mitigation in this regard.</b></p>	<p><b>No</b></p>
<p><b>2.2</b> 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-wintering, or migration, be affected by the project?</p>	<p><b>Yes</b></p>	<p><b>An Environmental Report and AA Screening Report is submitted with the application. The Environmental Report describes potential effects upon biodiversity in section 4. No significant impacts are anticipated and mitigation is set out. The site is situated in an existing industrial estate and does not support significant populations of protected, important or sensitive species. Mitigation measures are described in the submitted report to address potential effects, and no significant negative effects are anticipated.</b></p>	<p><b>No</b></p>
<p><b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p><b>No</b></p>	<p><b>The site is not situated within a zone of archaeological interest, however previous archaeological investigations of the area have found features, therefore there is potential for unknown archaeological</b></p>	<p><b>No</b></p>

		<b>features to be discovered during ground disturbance. Mitigation is proposed to protect and preserve any archaeological discoveries. No significant effects are anticipated.</b>	
<b>2.4</b> 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?	<b>No</b>	<b>The site is situated in an industrial estate characterised by high tech/manufacturing and industrial uses.</b>	<b>No</b>
<b>2.5</b> 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?	<b>No</b>	<b>A small tributary of the Barnakyle River passes c.1km to the south of the site. The site is located in flood zone C and has low flood risk.</b>	<b>No</b>
<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	<b>No</b>	<b>There is no evidence in the submitted documentation that the lands proposed for development are susceptible to lands slides or erosion.</b>	<b>No</b>
<b>2.7</b> 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?	<b>Yes</b>	<b>The M20 is situated further to the south of the site which is susceptible to congestion. The proposed development site is sufficiently removed from this motorway and no effects are anticipated.</b>	<b>No</b>
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	<b>No</b>	<b>The site is situated in an existing industrial estate, the Raheen Business Park. While sensitive land uses appear in the wider area, they are sufficiently removed from the site and no effects are anticipated.</b>	<b>No</b>

**3. Any other factors that should be considered which could lead to environmental impacts**

<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	<b>Yes</b>	<b>Development in the wider area is of a scale and nature that would be anticipated under the Limerick Development Plan 2022-2028 and would not give rise to significant cumulative environmental effects alongside this development.</b>	<b>No</b>
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	<b>No</b>	<b>No trans boundary considerations arise.</b>	<b>No</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No</b>		<b>No</b>

**C. CONCLUSION**

<b>No real likelihood of significant effects on the environment.</b>		EIAR Not Required
<b>Real likelihood of significant effects on the environment.</b>		EIAR Required

**D. MAIN REASONS AND CONSIDERATIONS**

Having regard to: -

1. the criteria set out in Schedule 7, in particular
  - (a) the limited nature and scale of the proposed substation development, in an industrial estate / business park
  - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
  - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

2. the results of other relevant assessments of the effects on the environment submitted by the applicant
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment

The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector \_\_\_\_\_

Date \_\_\_\_\_

Approved (DP/ADP) \_\_\_\_\_

Date \_\_\_\_\_

## 16.0 Appendix 2: Water Framework Directive

<b>WFD IMPACT ASSESSMENT STAGE 1: SCREENING</b>			
<b>Step 1: Nature of the Project, the Site and Locality</b>			
<b>An Coimisiún Pleanála ref. no.</b>	323893-25	<b>Townland, address</b>	Roches Avenue, Raheen Business Park, Limerick, County Limerick
<b>Description of project</b>		Proposed construction of a new 110 kV substation.	
<b>Brief site description, relevant to WFD Screening</b>		<p>The site is located on a built-up industrial estate in a largely urban area. There is no watercourses within the proposed development site. The closest watercourse to the site is c.1km to the south and is a tributary of the Barnakyle River. The Barnakyle River itself is located c.2.4km to the west of the site. The Barnakyle_20 IE_SH_24B05600 waterbody has an 2016-2021 EPA status of 'Moderate' and a WFD status of 'At Risk'. The Loughmore Canal is situated c.120m to the north of the site and there are no monitoring results displayed on EPA water maps. The site is located in the Limerick City Southwest IE_SH_G_141 Ground Waterbody which has an EPA status of 'At Risk'.</p>	
<b>Proposed surface water details</b>		During construction, a temporary drainage system is to be installed to collect runoff prior to establishment of the permanent attenuation system. It is proposed that drainage from the proposed development is collected on site by a dedicated-drainage network before being	

	discharged to a proposed soakaway. The drainage proposals are design to mimic natural drainage patterns in accordance with SuDs, with a greenfield runoff rate. Permeable surface within the substation compound will runoff to soil.
<b>Proposed water supply source &amp; available capacity</b>	It is proposed to connect to existing Uisce Éireann 300mm diameter watermain within Roche's Road for water supply. Uisce Éireann have issued a Confirmation of Feasibility in this regard. Uisce Éireann's capacity register indicates that capacity is available for the Limerick City water Resource Zone. In any case, demand generated by the minor facilities proposed in the development would have a negligible impact upon the overall network.
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Wastewater / foul water is proposed to be discharged to existing wastewater infrastructure on Roches Avenue in the ownership of the IDA. The volume of foul water generated will be negligible with respect to current loading of this infrastructure. The Limerick Wastewater Treatment Plant is recorded as having 'Green' capacity on Uisce Éireann's capacity register, indicating spare capacity is available. Uisce Éireann have issued a Confirmation of Feasibility regarding connection to the network.
<b>Others?</b>	Note Tom Ryan submission with comments concerning assessment against Article 4 of the Water Framework Directive. That assessment is set out here.
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>	

Identified water body	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)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
Tributary / River	Barnakyle_20 (IE_SH_24B05 600)	Moderate	At Risk	Pressures identified: Agriculture and Urban Run-off. Significant issues: Nutrients.	Distant pathway to the Loughmore Common Canal and Barnakyle River. During construction, surface discharge proposed to a soakaway and ground, with no direct discharge to watercourses. During operation, only clean surface water will be directed via a sustainable urban drainage system to a	Mitigation includes use of bunded storage areas, spill protection equipment, separation to surface waters / drainage points and no direct discharge to watercourses. With the application of these standard construction	Mitigation is sufficient. Discharges to ground and infrastructure will be attenuated first. In consideration of the minor character of the development with respect to interaction with wastewater infrastructure, no negative residual impact upon water quality resulting from the

					soakaway. Foul water discharge via IDA owned wastewater infrastructure.	mitigation measures, no significant adverse effects are anticipated to arise from the proposed development with respect to drainage during construction. During operation SUDs will attenuate water.	proposed development is anticipated.
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## 17.0 Appendix 3: Stage 1 Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project</b>	Proposed construction of a new 110 kV substation.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The site is located within an existing industrial estate, the Raheen Business Park. It is a linear site, with the main area situated close to Roches Avenue where the substation compound would be located, and overhead lines and cabling running from Roches Avenue to the R526.</p> <p>Pages 5-6 submitted AA Screening Report confirm the existing habitat condition of the site. The area for the proposed substation is comprised of hardstanding currently used for the storage of construction material for the Eli Lilly development, as well as an area of grassland adjacent to the northeast. The grassland is dry with no management and rank sward has developed, comprised of species including Cock's Foot (<i>Dactylis glomerata</i>), Spear Thistle (<i>Cirsium vulgare</i>), Tufted Vetch (<i>Vicia cracca</i>), False Oat-Grass (<i>Arrhenatherum elatius</i>), Red Clover (<i>Trifolium pratense</i>), Meadow Vetchling (<i>Lathyrus pratensis</i>) and Meadow Buttercup (<i>Ranunculus acris</i>).</p>

	<p>Small areas in the centre of this grassland support some more calcareous flora, including Quaking Grass (<i>Briza media</i>), Bird's Foot Trefoil (<i>Lotus corniculatus</i>), Common Knapweed (<i>Centaurea nigra</i>), and Common Spotted Orchid (<i>Dactylorhiza fuchsii</i>). This latter habitat does not correspond to an Annexed habitat. Proposed underground cabling would be situated in temporary access roads and car parking without vegetation. The footprints of the proposed re-sited pylons comprise hard standing at the western pylon, and a section of recently deposited earth bunding at the eastern pylon. The land between these pylons includes a fenced and signposted area of grassland where translocated Meadow Barley (<i>Hordeum secalinum</i>) has been propagated. Re-strung electrical wires will cross this area, as they will the section between the western pylon and an existing pylon in grassland to the southwest, which will cross the R526 road and a number of hedgerows of Ash (<i>Fraxinus excelsior</i>), Hawthorn (<i>Crataegus monogyna</i>), Elder (<i>Sambucus nigra</i>), Bramble (<i>Rubusfruticosus</i>) and Blackthorn (<i>Prunus spinosa</i>). This area has been previously identified as a key ecological receptor under the permitted development and is the subject of management plan for the protection of the Meadow Barley.</p> <p>There are no watercourses on or immediately adjacent to the site. Loughmore Common and Canal are situated c.120m to the north and a tributary of the Barnakyle River is situated c.100m to the south.</p>
<b>Screening report</b>	Y
<b>Natura Impact Statement</b>	N

<b>Relevant submissions</b>		Summary of prescribed body and observer submissions in section 5. Of note, submission from Tom Ryan with respect to possible adverse impact upon water quality, potential impact upon Karst features and groundwater which the observer asserts is not adequately considered in the submitted AA Screening Report.		
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
<b>European Site (code)</b>	<b>Qualifying interests<sup>1</sup> Link to conservation objectives (NPWS, date)</b>	<b>Distance from proposed development (km approx.)</b>	<b>Ecological connections<sup>2</sup></b>	<b>Consider further in screening<sup>3</sup> Y/N</b>
Lower River Shannon SAC (002165)	Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> ) [1330]	2.39km	No notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies.  No connectivity or pathways to the habitats and/or species to this European Site.	N

	<p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]  Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]  Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]  Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]  <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]  <i>Petromyzon marinus</i> (Sea Lamprey) [1095]  <i>Lampetra planeri</i> (Brook Lamprey) [1096]  <i>Lampetra fluviatilis</i> (River Lamprey) [1099]  <i>Salmo salar</i> (Salmon) [1106]  <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]  <i>Lutra lutra</i> (Otter) [1355]</p> <p><a href="http://www.npws.ie/protected-sites/sac/002165">www.npws.ie/protected-sites/sac/002165</a>  CO002165.pdf <a href="#">Site specific cons obj</a>  NPWS 2012</p>			
River Shannon and River Fergus Estuaries SPA (004077)	<p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]  Whooper Swan (<i>Cygnus cygnus</i>) [A038]  Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]  Shelduck (<i>Tadorna tadorna</i>) [A048]  Teal (<i>Anas crecca</i>) [A052]  Pintail (<i>Anas acuta</i>) [A054]</p>	2.67km	<p>No notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies.</p> <p>No connectivity or pathways to the habitats and/or species to this European Site. Due to distance and the lack of any</p>	N

	<p>Scaup (<i>Aythya marila</i>) [A062]  Ringed Plover (<i>Charadrius hiaticula</i>) [A137]  Golden Plover (<i>Pluvialis apricaria</i>) [A140]  Grey Plover (<i>Pluvialis squatarola</i>) [A141]  Lapwing (<i>Vanellus vanellus</i>) [A142]  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]  Curlew (<i>Numenius arquata</i>) [A160]  Redshank (<i>Tringa totanus</i>) [A162]  Greenshank (<i>Tringa nebularia</i>) [A164]  Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]  Wigeon (<i>Mareca penelope</i>) [A855]  Shoveler (<i>Spatula clypeata</i>) [A857]  Wetland and Waterbirds [A999]</p> <p><a href="http://www.npws.ie/protected-sites/spa/004077">www.npws.ie/protected-sites/spa/004077</a>  CO004077.pdf <a href="#">Site specific cons obj</a>  NPWS 2012</p>		<p>relevant ex-situ factors of significance to bird species or wetland habitat. The site is not suitable for the water fowl species listed for this European site.</p>	
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1 summary description / cross reference to NPWS website is acceptable at this stage in the report  
2 Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species  
3 if no connections: N

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

**AA Screening matrix**

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*
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Qualifying interests		
	Impacts	Effects
<p>Lower River Shannon SAC (002165) (QI's as per list above)</p> <p>River Shannon and River Fergus Estuaries SPA (004077) (QI's as per list above)</p>	<p>Construction: No direct or indirect impacts. Operational: Surface water will be attenuated by integrated SUDs system and hydrocarbon filtration system.</p>	<p>During construction – None, there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies. There is no connectivity to any European sites.</p> <p>During operation - All surface water runoff, once the facility is operational, will be discharged to sustainable urban drainage systems. Due to distance and lack of pathways / connections, there is no disturbance to qualifying interest species in any European sites and no likelihood of any significant effects on European Sites.</p>
	<p><b>Likelihood of significant effects from proposed development (alone): N</b></p>	
	<p><b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b> Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.</p>	
<p><b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b></p>		
<p>I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on European sites. No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		

## **Screening Determination**

### **Finding of no likely significant effects**

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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA, or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- Scientific information provided in the Screening report
- The scale of the development on fully serviced lands
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts on wintering birds
- No significant impact in terms of site-specific conservation objectives for the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA or any other European site.