An Coimisiún Pleanála

Inspector's Report

PL-500771-LH-26

Development	Permission sought for of a 10 year permission for a Solar PV Energy Development, and all site works. A Natura Impact Statement (NIS) has been submitted to the Planning Authority with the Application
Location	Lands c.4.87km northeast of Ardee, Derrycammagh, Bawn and Castlebellingham, Co Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2460805
Applicant(s)	Lightsource Renewable Energy Ireland Ltd
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Breige & Barney O'Neill & Others Stephen O'Neill, Victoria Murray & Others Kevin & Sarah Sweeny

	Braganstown Farms Unlimited Company L.P. Goodman
Observer(s)	Carol Murray Barbara Murray
Date of Site Inspection	2nd June 2026
Inspector	Alan Di Lucia

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1.0 Site Location and Description

1.1. The application site is located across the rural townlands of Derrycammagh and Bawn, Castlebellingham, Co. Louth approximately 5km to the northeast from Adree and 4.3km to the west of Castlebellingham. The smaller settlement of Lambtown is located approx..1km to the southwest and Strabannan, approx.. 2.5 km to the southeast. The River Glyde runs to the south of the site, adjoining parts of the application site along the southeastern boundary.

1.2. The application site consists of an area of approximately 108.6 hectares comprising of a total of 16 agricultural fields, (I refer the commission to Figure 3 'Derrycammagh Solar Farm Field Numbers' of the planning application drawings). The fields are bounded by a mixture of mature trees, hedgerows and post and wire fencing. The site and immediate environs is currently used for arable farming and cattle grazing. The location of the proposed development lies at an elevation of approximately 9-21 m AOD (Above Ordnance Datum).

1.3. The surrounding area is interspersed with farms and detached dwellings along the local road network.. Ribbon development is prevalent along the connecting routes between settlements.

1.4. The closest Regional Road is the R116 located immediately to the northeast of the site. Access to the proposed development will be taken from an existing access point along the R166 during construction, whilst the operational and maintenance access will be from an unnamed road to the northeast of the application site. Furthermore, the Dublin-Belfast M1 motorway and rail line is located approx..2.2km to the east of the site, with the National Road N54 towards Ardee approx. 0.8km to the west.

2.0 Proposed Development

2.1. Proposed Development Summary

2.1.1. It is proposed to construct a Solar PV Energy Development with associated Battery Energy Storage System Compound, and all associated site works with a total site area of 108.6 Ha. In summary, the proposed solar farm includes:

- Photovoltaic panels mounted on steel support structures,
- 48 no. Inverters
- 48 no. Transformers
- 24 no. Switchgear substations
- 1 no. Auxiliary Transformer
- 5 no. Permanent Storage Containers
- 2 no. Monitoring House
- 1 no. Composting Toilet
- 1 no. BESS Intake Substation
- 48 no. EPD Battery Blocks
- 48 no. BESS Interface Cabinets
- 12 no. BESS Twin Skids
- 1 no. Backup Generator
- 1 no. Construction Compound
- 1 no. Temporary Construction Compound
- 1 no. Temporary and Permanent Access Track.
- CCTV Posts

2.1.2. The application seeks a 10-year permission and an operational life of 40 years for the facility. While various infrastructure components are described in the application, it is proposed that the most efficient infrastructural specification available at the time of construction will be used. These may vary slightly from the indicative details submitted, however this is not expected to result in a significant departure from the specified details.

2.1.3. A grid connection will be required to connect the proposed development to the National Grid. However this has not been included within the design of the proposed development. The provision of a 110kv electrical substation will form

part of a separate Strategic Infrastructure Development (SID) application to An Coimisiún Pleanála. However, an indicative grid connection route located within the red line boundary of this Proposed Development has been considered as part of the Natura Impact Assessment, in order to assess the impacts of this indicative grid route on the integrity of Natura 2000 sites

2.2. Proposed Layout and Design

2.2.1. A detailed description of the proposal is set out in Section 4 of the applicant's Planning Statement and is described in the applicant's other documentation submitted with the planning application. The following is a summary of the project description.

Module Array and Racking System

2.2.2. The solar panel array will consist of multiple rows of solar panels, mounted onto metal frames arranged in rows east to west and fixed to pile driven galvanised steel posts. The frames will allow the panels to be positioned at an angle of between 15-25 degrees , with a proposed maximum height of 3.055m , including 1m of ground clearance.

Inverter and Transformer Units

2.2.3. The proposed inverter and transformer stations will be provided within self-contained waterproof units, located off the internal access tracks. Each inverter station unit measures c.8.2m(l) x 2.3m (w) x 2.48m (h) and will be built upon a concrete plinth foundation of c.0.3m above ground level. (Overall height above ground level is c. 2.78m). Each transformer unit measures c. 4.5m(l) x 5.5m(w) x 3.0m(h) and will be built upon a concrete plinth foundation c. 0.2m above ground level. (Overall height above ground level is c. 3.2m)

2.2.4. The inverters will convert the Direct Current (DC) to Alternating Current (AC) and the transformers will uprate the voltage from a Low voltage to a Medium or High Voltage as required by the electricity grid connection

Switchgear / Production Substation

2.2.5. The proposed switchgear substations will be located next to the inverter and transformer units off the internal access road. Each will measure 4.2m(l) x

2.6m(w) x 3.0m(h). A 1.5m high Wi-Fi antenna will be erected on each switchgear substation to relay information relating to each of the substations.

Auxiliary Transformer

2.2.6. One No. Auxiliary transformer is proposed within the site measuring 8.0m(l) x 2.9m(w)

Monitoring House / Communications Building

2.2.7. There will be 2 no. Monitoring House / Communication buildings within the application sites, measuring c. 3.9m(l) x 3.2m(w) x 3.0m(h). These buildings will provide daily operational data/information of the Solar Farm, facilitate the flow of information from the equipment to a central control centre and alert potential issues with the solar farm and Battery Storage Compound. In addition, a 5.95m weather station will be attached to the outside of the proposed building to monitor wind speed, direction and temperature.

Permanent Storage Container

2.2.8. There will be 5 no. permanent storage containers within the application site each measuring c12.1m(l) x 2.4m(w) x 2.6m(h), which will store miscellaneous spare parts.

Composting Toilet

2.2.9. A permanent toilet is proposed near the battery storage compound , which will be a composting toilet which will be emptied as and when required by an approved contractor.

Temporary Construction Compound

2.2.10. 1 no. temporary site construction compound will be utilised during construction, located at the centre of the application site. The compound will contain, Temporary Site facilities, Container Storage Units, Parking areas, Designated construction waste skips and a Wheel Wash Facility. The area will be surfaced with compacted stone and reinstated prior to the end of the construction phase.

Security Fencing and Gates (Solar Farm)

2.2.11. The proposed solar farm will be secured by perimeter fencing, which will be deer fencing with wooden posts with c. 3.5m centres. The fence will be c. 2m high with small mammal gates fitted at appropriate points to enable free access into and out of the application site. A distance of approx. 3m will be maintained between the security fencing and the solar array. A further distance of approx.. 5m will be maintained between the solar arrays and the site boundary (existing hedgerow/treeline where applicable).

Battery Storage Compound

2.2.12. The compound includes 48 no. BESS Inverters 3.3m(l) x 2.3m(w); 48 no. BESS Interface Cabinets 2.2m(l) x 1.1m(w); 12 no. BESS MV Skids 5.9m(l) x 2.9m(w). The storage compound is required on site to store electricity produced by the solar farm before being exported to the national grid.

BESS Intake Substation

2.2.13. 1 no. BESS Intake Substation will be located within the application site, to the northwest of the proposed battery storage compound. The unit will measure c.200m(l) x 6.0m(w) x 3.6m(h).

Security Fencing and Gates (Battery Storage Compound)

2.2.14. The proposed Battery Storage Compound will be secured by stainless steel fencing with metal posts at 2.5m centres at 2.5m high. Small mammal gates will be fitted at appropriate points to enable free access and will be 250mm x 250mm.

CCTV and infra-red lighting

2.2.15. The application site will be securely monitored with CCTV cameras positioned such that they solely capture imagery within the lands under the control of the applicant. The cameras will utilise infra-red technology, be on 2.5m high galvanised steel posts and be positioned at intervals around the security fence line.

Access and Access Tracks

2.2.16. The Application Site will be accessed during construction from an existing access point via the R166. During operation, the site will be accessed from an unnamed local road that leads directly into the Application Site.

2.2.17. The existing access point will be upgraded as required and will require 81.4m and 5.8m of hedgerow trimming and the removal of one tree to facilitate access visibility requirements. Additional and upgraded access tracks, along with temporary access tracks will be constructed throughout the application site and measure between 3.5m and 4.5m wide.

2.2.18. All new access tracks will be unpaved and constructed of local stone. The surface will be compacted granular material up to approx.. 0.3m, dependant on ground conditions.

Land Take

2.2.19. The proposed development covers an area of approx.108.6 hectares. It is estimated that construction works / ground disturbance will occur over approx.. 4.03% of the overall site, with the remainder of the site utilised for agricultural purposes throughout the lifetime of the operation. The agricultural use of the land will continue throughout the operational phase by allowing sheep grazing.

2.3. **Construction Phase**

2.3.1. It is expected that the overall installation / construction phase of the proposed development will take approx. 12 months. The following activities will take place during this phase and include, Site entrance creation and enabling works; Drainage works; Installation of temporary compounds; Construction of access tracks through the site; Installation of solar array, inverters/transformers; laying of underground low voltage cables connecting the solar panels and the power stations; Construction of substations; Laying of underground medium voltage cables connecting the inverters/transformer stations and the onsite substations; Installation of Security fencing and CCTV; and landscaping and ecological works.

2.4. **Operational and Maintenance Phase**

2.4.1. Once operational the proposed development will be remotely monitored for both performance and security. Maintenance will comprise of supplementary grass cutting, if required; Maintenance of drainage features and replacement of any damaged panels and washing of panels , if required. In relation to the BESS, maintenance operations include visual inspections; Electrical testing; Thermal management; Battery Health Monitoring and Fire Safety.

2.5. **Decommissioning.**

2.5.1. At the end of the operation lifetime, the solar array components and associated battery infrastructure will be disassembled and removed from site. All above and below ground infrastructure will be removed In order to facilitate the resumption of agricultural practices. Decommissioning of the site will take approx.. 12 months.

2.6. **Documentation Submitted**

2.6.1. The submitted planning application included the following documents:

- Planning Forms
    - Planning Application Form
    - Newspaper and Site Notice
    - Landowner Consent Letters
    - Site Notice Images
- Volume 1
    - Planning Statement
    - NIS Screening
    - Environmental Impact Assessment Screening
- Volume 2
    - Infrastructural Drawings
- Volume 3

- Technical Appraisals (TAS)
    - TA1: Landscape and Visual Impact Assessment
    - TA2: Ecological Impact Assessment, including a Biodiversity Management Plan.
    - TA3: Archaeology and Architecture Heritage Impact Assessment
    - TA4: Flood Risk and Drainage Heritage Impact Assessment
    - TA5: Construction Management Plan
    - TA6 Noise Impact Assessment
    - TA7 Glint and Glare Assessment
    - TA8 Outline Construction Environment Management Plan.

2.6.2. It is noted that following Louth County Council's further information request of 14th February 2025, a response was received on the 10th of November 2025. This included the following information:

- Glint and Glare
    - Appendix B -M1 Visibility Assessment Evidence
    - M1 Based Receptors
- Construction Traffic Management Plan
    - Volume 3 TA 5 Construction Traffic Management Plan
    - Fig 5.1 Proposed Haul Route
    - Fig 5.2 Swept Path Analysis Construction
    - Fig. 5.3 Swept Path Analysis Operational
    - Fig. 5.4 Visibility Splay
- Archaeology
    - Volume 3 TA3 Archaeology and Architecture Heritage Impact Assessment
    - Fig. 3.5 Test Trenching Mitigation

    - Archaeology Assessment
- Ecology
    - Biodiversity Management Plan
    - Ornithology Report
    - Ecological Appraisal
    - Natura Impact Statement
    - Fig. 2.1 Designated Site Map
    - Fig. 2.6 to 2.14 Wintering Bird Survey Maps (Feb 2025- Oct 2025)
    - Wintering Bird Survey Maps (2022/2023)
- Noise
    - Volume 3 TA6 Noise Impact Assessment
    - Fig. 6.1 Noise Assessment Map
    - Time Series Chart
    - Construction Noise calculations
- Landscape and Ecology Plan (LEMP)
    - Fig 1.11a to 1.11d LEMP
- Planning Drawings
    - Site Layout Plan (Overall and Sheets 1 to 9)

3.0 Planning Authority Decision

3.1. Decision

3.1.1. A notification of the decision to grant planning permission was issued by Louth County Council by order dated 16/01/2026 with 22 no. conditions attached.

3.1.2. Conditions

The PA have attached the following bespoke conditions:

- Cond. 6: To provide documentary proof of a right of way from the developer, to allow for a circa. 45m section of temporary access road to be laid through the southern portion of a site, which has permission for a residential unit (Ref 2460392)
- Cond 9(b):To submit fatality monitoring and flight activity surveys for a period of 2 years post completion of the development for the written agreement of the PA.
- Cond. 11. To submit a Soil Management Plan which collates the soil management mitigation measures contained within the Flood Risk Assessment and the Drainage Impact Assessment which includes the additional mitigation measures of Section 2.3.1 to 2.3.8 of the further information response received by the PA on the 10/11/2025.
- Cond 21.€30,000 cash deposit for reinstatement works
- Cond 22. €741,450 under Development Contribution Scheme

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

There are two Planner's reports on file which inform the decision and which are summarised as follows:

Planners' 1st Report dated 12th February 2025

- Notes planning history at this location, permission granted for a rural house. Ref 2460392.
- Notes the preplanning consultation dated 12th May 2023.
- Details submission on file
- Outlines Statutory Consultation
- Principle of Development: Aligns with National, Regional and Local Policy, supports climate actions and the transition to a low carbon economy. Considered suitable for solar energy development.

- Landscape and Visual Assessment: located within landscape of 'low sensitivity to change'; visual impacts most significant within 250m mitigated by existing vegetation, impact not significant from 500m onwards, mitigation includes extensive hedgerow planting.
- Glint and Glare: no substantial effects, one high impact receptor screened by vegetation; assessment did not identify M1 Motorway as a receptor. Further Information requested.
- Noise: Assessment did not measure site conditions or construction noise. Further Information requested.
- Ecology: 10 habitats identified and with mitigation unlikely to have significant effects. Biodiversity management plan required. Further Information requested.
- Archaeology and Heritage: assessments conclude low to negligible indirect effects. Archaeological mitigation recommended. Further Information requested.
- Flood Risk: Located in Flood Zone C proposal is water compatible. Surface water management plan included
- Water and Wastewater: No connections proposed
- Soil Management: Soil Management Plan required. Further Information requested.
- Traffic and Transport: Details regarding sightlines, road conditions and haul route maintenance requires. Further Information requested.
- Other Issues: Max. MW output required. Further Information requested.
- EIAR: Concludes EIAR not required
- NIS: Comprehensive Winter Bird Surveys required. Further Information requested.

Planners' 2nd Report dated 14th January 2026

- NIS: Department confirmed satisfaction with updated NIS stating no adverse effects of SCI/QI sections for both SPAs.

- Glint and Glare: updated assessment including M1 Motorway concludes that the existing vegetation screens the glint and glare from M1 and recommends monitoring and remedial actions required if issues arise.
- Sightlines: Satisfied sightlines ,.can be achieved. any hedgerows removed shall be replaced behind sightlines
- Road Infrastructure: Satisfied with updated CEMP, appropriate conditions to apply.
- Water Framework Directive: Details submitted show compliance with Water Framework Directive.
- Archaeological Investigations: Dept. satisfied with further information, recommend grant subject to conditions.
- Noise: Revised noise assessment submitted, appropriate noise conditions included.
- MW Output and Grid Connection: Max export capacity 74MW, powering approx. 36,172 homes annually, power exported to national grid
- Biodiversity Management Plan: Updated Plan replaces wildflower with meadow management areas.
- Potable Water: Supplied during construction, no requirement during operation.
- Soil Management Plan: measures included in Flood Risk and Drainage Assessment, condition added to consolidate the Soil Management Plan.

3.2.2. Other Technical Reports

Placemaking and Physical Development Section:

- Date 12th December 2025, following receipt of further information recommends grant of permission subject to conditions

Environment Section:

- Date 26th November 2025, following receipt of further information, recommends grant of permission subject to conditions

Heritage Officer:

- No report received.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage (Archaeology)

- Date 5th February 2025: Further Information required in relation to archaeological investigations

- Date 13th November 2025: In response to the Further Information, recommend conditions to be applied in the event of a grant of planning permission.

Department of Housing, Local Government and Heritage (DAU)

- Date 9th January 2026: Following receipt of further information, satisfied with findings

Transport Infrastructure Ireland (TII)

- Date 14th January 2025: Would adversely affect the operation of national road network, and assessment not includes M1 Motorway

- Date 17th November 2025; Following receipt of Further Information, monitoring condition required and mitigation required in the event of any impact on road safety.

Inland Fisheries Ireland:

- Date 29th January 2025: Recommends measures for protection of River Glyde.

- Date 23rd December 2025: Recommend further monitoring upstream during construction phase

An Taisce

- Seeks further inflation in relation the Stabannan-Braganstown pNHA and SPA, and WFD should be assessed

Uisce Éireann (UE); Irish Aviation Authority (IAA); Arts Council; Heritage Council

No reports received.

3.4. Third Party Observations

3.4.1. The Planning Authority received 94 no. third party submissions on the original application. The issues raised in these submissions are generally reflected in

the issues raised in the third-party appeals received by the Commission. The submission related to the following themes:

Planning Legislation, Policy, Visual Impact, Community, Health and Safety. Road / Traffic Safety, Environmental Concerns, Other Assessments, EIA, Noise, Glint and Glare, Global Issues, Neighbouring Amenity, Water, Flooding, Agricultural Lands, Future Developer and Operator, Drawings, Previous refusals, Build Heritage Concerns, Climate Impacts, Cumulative effects, Construction, Land Suitability, Responsible Renewable Energy Development, Impact on Future Applications, Alternatives, Waste, Decommissioning and Discrepancies.

3.4.2. The Planning Authority sought further information on the 14/02/2025. The applicants submitted the further information to the Planning Authority on the 10/11/2025. The Planning Authority considered that the information received contained significant additional data and accordingly requested the applicant to publish a notice in accordance with Article 35(1) of the Planning and Development Regulations 2001, as amended.

3.4.3. The Planning Authority received a further 52 no. third party submission following the notice relating to Significant Further Information. The majority of the issues raised in the submissions submitted originally, However, issues relating to a Temporary Access Road and Greylag Geese were considered new issues.

4.0 Planning History

4.1. Appeal Site

PA Reference 2460392

Permission for a dwelling house, detached domestic garage , waste water treatment system and percolation area and all associated site works. Granted by Louth County Council

4.2. Solar Farm Developments Nearby

PA Reference 2560223 / ACP Reference PL-500778-LH-26

Knockdinnin Solar Farm Limited

The development of a solar PV development and Battery Energy Storage System facility, and all site works. Granted by Louth County Council, Currently on Appeal with ACP. (4km to South of appeal site)

PA Reference 23483

Permission for Solar PV Energy Development of maximum export capacity 4MW to include photovotaic panels on ground mounted frames/support structures; one ESB Networks substation building. Granted by Louth County Council (8km to Northwest of appeal site.

PA Reference 241478

Ten year permission sought for alterations and extension to the solar PV and battery energy storage system development permitted under planning ref. no. 21/631. Granted by Louth County Council (6.5km to Southeast of appeal site)

5.0 Policy Context

5.1. National Planning Policy

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

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

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

a) *the most recent approved climate action plan,*

b) *the most recent approved national long term climate action strategy,*

c) *the most recent approved national adaptation framework and approved sectoral adaptation plans,*

d) *the furtherance of the national climate objective, and*

e) *the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State".*

5.1.2. Climate Action Plan (CAP) 2024 ("CAP24") and 2025 ("CAP25")

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

To meet its targets and obligations CAP 24 sets a course for Ireland to halve emissions by 2030 and reach net-zero no later than 2050. In terms of the electricity sector a 75% reduction in emissions based on 2018 levels is required by 2030 and CAP 24 provides that central to achieving this is the strategic increase in the share of renewable electricity to 80% by 2030 including ambitious targets of deploying 9GW of onshore wind, 8GW of solar power and at least 5GW from offshore wind projects. CAP 2025 was published on 15th April, 2025. It re-affirms the previous commitment to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5GWs by 2025 and 8 GWs by 2030.

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

The National long-term Climate Action Strategy, entitled Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, sets out indicative pathways, beyond 2030, towards achieving carbon neutrality for Ireland by 2050. The Strategy provides a pathway to a whole-of-society transformation and serves as a vital link between shorter-term Climate Action Plans and Carbon Budgets and the longer-term objective of the European Climate Law and Ireland's National Climate Objective.

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

The most recent approved national adaptation framework, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 (NAF) is Ireland's

second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF and its successors do not identify specific locations or propose adaptation measures or projects in individual sectors, but sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making. The NAF identifies 13 (previously 12) priority sectors under 7 lead Departments that are required to prepare sectoral adaptation plans under the Climate Act in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation which were published in 2018 and updated in 2024. 13 sectoral Plans were prepared in 2025 including an Electricity and Gas Sectoral Plan.

5.1.5. Project Ireland 2040: National Planning Framework ("NPF"), First Revision of the NPF and the National Development Plan ("NDP 2018-2027)

Project Ireland 2040 is the Government's long-term overarching strategy to make Ireland a better country for all and to build a more resilient and sustainable future. The NPF and the NDP combine to for Project Ireland 2040. The NPF sets out to deliver a spatial strategy through a set of National Strategic Outcomes ("NSO's"), including: 'Transition to a Low Carbon and Climate Resilient Society' which establishes a national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050. The first revision of the NPF has been approved by both Houses of the Oireachtas, following the decision of the Government to approve the final revised NPF on 8th April, 2025. The 'First Revision' introduces regional renewable electricity capacity allocations for each of the three Regional Assemblies to be achieved by 2030 which for the Eastern and Midland Regional Area is an additional 3,294MW, for solar PV or 45% of the National share in 2030. This is the minimum required for solar generation to meet the 2030 emission reductions in the electricity sector. The NDP 2018-2027 sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approx. €116 billion. It recognises that Ireland's energy system requires radical transformation in order to achieve its 2030 and 2050 targets and objectives. It recognises that investment in renewable energy sources affords Ireland an opportunity to decarbonise our energy generation, but that

this must be complemented by wider measures to moderate growth in energy demand, increase energy security, diversify supply sources and facilitate more variable electricity generation on the grid.

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

Project Ireland 2040 is the Government's long-term overarching strategy to make Ireland a better country for all and to build a more resilient and sustainable future. The NPF and the NDP combine to for Project Ireland 2040. The NPF sets out to deliver a spatial strategy through a set of National Strategic Outcomes ("NSO's"), including: 'Transition to a Low Carbon and Climate Resilient Society' which establishes a national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050. The first revision of the NPF has been approved by both Houses of the Oireachtas, following the decision of the Government to approve the final revised NPF on 8th April, 2025. The 'First Revision' introduces regional renewable electricity capacity allocations for each of the three Regional Assemblies to be achieved by 2030 which for the Eastern and Midland Regional Area is an additional 3,294MW, for solar PV or 45% of the National share in 2030. This is the minimum required for solar generation to meet the 2030 emission reductions in the electricity sector. The NDP 2021-2030 sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approx. €116 billion. It recognises that Ireland's energy system requires radical transformation in order to achieve its 2030 and 2050 targets and objectives. It recognises that investment in renewable energy sources affords Ireland an opportunity to decarbonise our energy generation, but that this must be complemented by wider measures to moderate growth in energy demand, increase energy security, diversify supply sources and facilitate more variable electricity generation on the grid.

5.1.7. National Biodiversity Action Plan 2023 – 2030 (NBAP)

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows, Objective 1 Adopt a whole of government, whole of society approach to biodiversity; Objective 2

Meet urgent conservation and restoration needs; Objective 3 Secure nature's contribution to people; Objective 4 Enhance the evidence base for action on biodiversity; Objective 5 Strengthen Irelands contribution to international biodiversity initiatives.

5.1.8. National Energy Security Framework (April 2022)

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

7.1 Reducing demand for fossil fuels.

7.2 Replacing fossil fuels with renewables, including solar energy.

7.3 Diversifying fossil fuel supplies.

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

5.2. **Regional Planning Policy**

5.2.1. Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031

The Eastern and Midland Regional Spatial and Economic Strategy (RSES) 2019–2031 provides strong strategic support for the transition to a low-carbon, climate-resilient region through the expansion of renewable energy generation and associated electricity infrastructure. The Strategy recognises that achieving national climate and energy targets requires significant investment in renewable energy technologies, including solar photovoltaic development, together with grid reinforcement, energy storage and smart energy systems. Overall, the Strategy provides a positive regional policy framework for renewable energy development,

subject to satisfactory environmental assessment and compliance with relevant planning and environmental objectives. The RSES integrates renewable energy policy across multiple sections, with each section providing specific RPOs to guide local authorities, developers, and communities in advancing renewable energy projects. These RPOs collectively support Ireland's transition to a low-carbon, resilient, and sustainable energy future. Including the following, relevant to the proposed development.

Chapter 4 People and Places

Emphasises the importance of diversifying the rural economy, including the development of renewable energy projects such as wind, solar, and bioenergy. Recognises renewable energy as a means to support rural employment and sustainable economic growth.

RPO 4.84 Support the rural economy and initiatives in relation to diversification, agri-business, rural tourism and renewable energy so as to sustain the employment opportunities in rural areas

Chapter 6 Economy and Employment

Focuses on the transition to a low-carbon economy and the role of green technologies and renewable energy industries in job creation and economic resilience. Encourages local authorities and agencies to support the development of renewable energy sectors.

RPO 6.7 Support local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bioeconomy, tourism, and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage

Chapter 7 Environment and Climate

Provides a comprehensive framework for climate action, energy efficiency, and the expansion of renewable energy. Promotes the identification of Strategic Energy Zones, community engagement, and integration of renewables into planning policy

Chapter 10 Infrastructure

Focuses on the development and reinforcement of electricity and gas networks to support renewable energy integration. Supports smart grids, grid balancing, and the sustainable development of offshore renewables.

RPO 10.19 Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy

5.3. Local Planning Policy

5.3.1. Louth County Development Plan 2021-2027 (as varied) (LCDC)

The Louth County Development Plan 2021-2027 (LCDC) sets out the policies and objectives and the overall development strategy for the plan period and came into effect on the 11th November 2021.

Economy and Employment

Section 5.19.2 Diversification is identified as a key method to broaden the employment base in rural areas and provide alternative income sources beyond traditional farming, examples of diversification include renewable Energy Projects such as solar, wind and bioenergy projects. The plan supports rural diversification projects, provided that the use and scale of the development are compatible with the surrounding area

Section 5.18.2 encourages and supports rural diversification as a means to strengthen the rural economy, create jobs, and provide resilience against challenges in traditional agriculture, with a focus on sustainability and compatibility with the local area

EE 62 To facilitate the diversification of the agricultural sector by supporting alternative farm enterprises subject to the nature and use of any enterprise being compatible with the environment in which it is located.

Movement

MOV 58 To safeguard the capacity and safety of the National and Regional Road network by restricting further access onto National Primary, National Secondary, and Protected Regional Roads in accordance with the details set out in Tables 7.9 and 7.10.

Green Infrastructure

NBG 57 To ensure that no development, including clearing or storage of materials, takes place within a minimum distance of 10m measured from each bank of any river, stream or watercourse.

Climate Action and Renewable Energy

CA 1: To promote, support and direct effective climate action policies and objectives that seek to improve climate outcomes across the settlement areas and communities of County Louth, helping to successfully contribute and deliver on the obligations of the State to transition to low carbon and climate resilient society through the encouragement and integration of appropriate mitigation and adaptation considerations and measures into all developments.

CS 6: To support the implementation of the EU Green Deal, National Climate Action Plan 2019, Programme for Government 2020, Louth Climate Change Adaptation Strategy 2019-2024 and the Climate Action Charter through the Plan and to consider, if appropriate, a variation of the development plan to ensure the consistency with the approach to climate action recommended in any revised Development Plan Guidelines as adopted.

IU 49 To support international, National and County initiatives for limiting and reducing emissions of greenhouse gases through energy efficiency and the development of renewable energy sources at suitable locations, utilising the natural resources of the County, in an environmentally acceptable manner subject to normal proper planning considerations including in particular the impact on areas of environmental or landscape sensitivity.

IU.55 To support the implementation of the EU Green Deal, Climate Action Plan 2019 (or any subsequent plan), Programme for Government 2020, Climate Change

Adaptation Strategy for County Louth and the Climate Action Charter and facilitate measures which seek to reduce emissions of greenhouse gases

IU 64: To support the development of solar energy infrastructure in the County including commercial scale ground mounted solar PV 'Solar Farms' subject to environmental safeguards and the protection of natural and built heritage features, biodiversity and views and prospects.

Renewable Energy Strategy

Louth County Council is committed to supporting investment in renewable energy and developing a robust Renewable Energy Strategy to deliver on national targets and position the county as a leader in renewable energy generation

Rural Development

EE 55: To support rural entrepreneurship and rural enterprise development of an appropriate scale at suitable locations in the County.

EE 59: To secure vibrant and viable rural communities by supporting the development of rural based enterprises.

EE 61: To facilitate the diversification of the agricultural sector by supporting alternative farm enterprises subject to the nature and use of any enterprise being compatible with the environment in which it is located

Landscape and Environmental Protection

NBG 23: To ensure the preservation of the uniqueness of a landscape character type by having regard to its character, value and objectives in accordance with national policy and guidelines and the Louth Landscape Character Assessment and by ensuring that new development meets high standards of siting and design and does not unduly damage or detract from the character of the landscape or natural environment.

NBG 24: To ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types including the retention of important features or characteristics, taking into account the various

elements, which contribute to their distinctiveness such as scenic quality, habitats, settlement pattern, historic heritage and land use.

NBG 25: Where appropriate, require that landscape and visual impact assessments prepared by suitably qualified professionals be submitted with development applications, which may have significant impact on landscape character areas, especially in highly sensitive areas.

NBG 3: To protect and conserve Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives.

NBG 4: To ensure that all proposed developments comply with the requirements set out in the DECLG 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities 2010'.

NBG 5: To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects.

NBG 6: To ensure a screening for Appropriate Assessment (AA) on all plans and/or projects and/or Stage 2 Appropriate Assessment (Natura Impact Report/ Natura Impact Assessment) where appropriate, is undertaken to make a determination. European Sites located outside of the County but within 15km of the proposed development site shall be included in such screenings as should those to which there are pathways, for example, hydrological links for potential effects.

NBG 37: To protect the unspoiled rural landscapes of the Areas of High Scenic Quality (AHSQ) from inappropriate development for the benefit and enjoyment of current and future generations.

NBG 37: Protect and sustain the established appearance and character of views and prospects listed in Tables 8.14 – 8.18 of this Plan that contribute to the distinctive quality of the landscape, from inappropriate development.

Heritage and Archaeology

BHC 1: To protect and enhance archaeological sites and monuments, underwater archaeology, and archaeological objects listed in the Record of Monuments and Places (RMP), and/or the Register of Historic Monuments and seek their preservation (i.e. presumption in favour of preservation in situ or in exceptional cases, at a minimum, preservation by record) through the planning process and having regard to the advice and recommendations of the National Monuments Service of the Department of Housing, Local Government and Heritage and the principles as set out in the 'Framework and Principles for the Protection of the Archaeological Heritage' (Department of Arts, Heritage, Gaeltacht and the Islands 1999).

BHC 2: To protect the built heritage assets of the county and ensure they are managed and preserved in a manner that does not adversely impact on the intrinsic value of these assets whilst supporting economic renewal and sustainable development.

BHC 3: To protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage

Floor Risk and Water Management

IU 26: To reduce the risk of new development being affected by possible future flooding by: • Avoiding development in areas at risk of flooding and • Where development in floodplains cannot be avoided, taking a sequential approach to flood risk management based on avoidance, reduction and adaptation to the risk

IU 27: To ensure all proposals for development falling within Flood Zones A or B are consistent with the "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" 2009. Proposals for development identified as being vulnerable to flooding must be supported by a site specific Flood Risk Assessment and demonstrate to the satisfaction of the Planning Authority that the development and its infrastructure will avoid significant risks of flooding and not exacerbate flooding elsewhere.

IU19: To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run off quality and impacts on habitat and water quality.

5.4. **Natural Heritage Designations**

- Stabannan-Braganstown SPA (Site Code 004091*)* Adjacent to the South
- Dundalk Bay SAC (Site Code 000455) 5.7km to the East
- Dundalk Bay SPA (Site Code 004026) 5.7km to the East
- North-west Irish Sea SPA (Site Code 004236) 14.5km to Southeast
- The Stabannan-Braganstown pNHA (Site Code 000546), which lies partially within and immediately south of the application site
- Darver Castle Woods pNHA (Site Code 001461) located approximately 2.8 km to the north
- Louth Hall and Ardee Woods pNHA (Site Code 001616) located approximately 4.2 km to the southwest.

6.0 EIA Screening

6.1. Form 1 (Appendix 1 to this report) sets out the pre-screening undertaken and Form 3 (Appendix 2) sets out the screening Determination undertaken which concludes as follows: EIA Screening Determination EIAR not Required Having regard to:

- The nature and scale of the proposed development, which of itself is not a class of development and falls below the thresholds in respect of Class 1(a) and Class 10(dd) of Part 2 to Schedule 5 of the Planning and Development Regulations 2001, as revised;

- The consideration of the cumulative effects of the proposed development, subject of the screening, and the wider development of solar farms which is not, of itself, a class for the purposes of the EIA Directive
- The nature of the existing site and the existing and permitted pattern of development in the surrounding area;
- The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;
- The features and measures proposed by the developer that are envisaged to avoid or prevent what might otherwise be significant effects on the environment. It is considered that the proposed development would not be likely to have significant direct, indirect or cumulative effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

7.0 The Appeal

7.1. Third Pary Appeals

Five Third Party Appeals received in relation to the proposed development with an number of submissions in support of the appeals lodged, as detailed below:

- L.P. Goodman (Stephen Ward Town Planning and Development Consultants Ltd)
- Braganstown Farm Unlimited Company (BFULC) (Stephen Ward Town Planning and Development Consultants Ltd)
- Kevin and Sarah Sweeney.

  Submissions in support of appeals from:

  - Raymond Sweeney, Niall Sweeney, Barry and Gráinne O'Connor
- Victoria Murray and Stephen O'Neill,

  Submission in support of appeal from:

  - Ciaran O'Neill
- Briege and Barney O'Neill and Others.

  Submissions in support of appeal from

  - Philomena Walsh, Mary Cumiskey, Liam Cumiskey, Fiona Cumiskey, Jennifer Cumiskey, Cyril Comiskey, Padraig McHale and Laura McHale, Gerard and Christine Kerley, Maura Walsh, Darren O'Rourke, Mark and Pauline O'Rourke, Muireann Toner, Niamh O'Rourke, Christopher Lennon

7.1.1. Grounds Of Appeal (GoA)

<u>L.P. Goodman (Stephen Ward Town Planning and Development Consultants Ltd)</u>

- The GoA contend that the application is supported by insufficient information to enable a lawful assessment of its environmental effects. It is argued that the applicant acknowledges that, should permission be granted, further studies would be required to determine potential impacts and identify any additional mitigation measures. Consequently, it is submitted that the competent authority cannot conclude beyond reasonable scientific doubt that the proposed development would not adversely affect the integrity of European sites.

- The GoA identifies a number of deficiencies in the Natura Impact Statement (NIS) and supporting ecological assessments, including:
- The NIS recommends a series of post-consent studies, the outcomes of which may necessitate additional mitigation measures that are currently unknown.
    - The Ecological Impact Assessment (EcIA), in relation to Dundalk Bay SPA, acknowledges that further mitigation may be required to fully exclude the possibility of significant adverse effects.
    - In respect of Braganstown SPA, it is argued that ornithological connectivity between the site and the SPA cannot be ruled out without additional mitigation measures.
    - The submission notes that while the likelihood of Greylag Goose using the site may be reduced due to lower numbers in the surrounding area, this conclusion relies heavily on I-WeBS data and is not supported by adequate site-specific survey information.
    - The site is acknowledged as having the potential to support qualifying bird species, including Lapwing and Common Snipe.
    - The absence of winter bird surveys during 2024 and the lack of survey data covering the full wintering period (October–March) are identified as significant deficiencies. It is argued that surveys undertaken between February and October 2025 are not sufficient to assess wintering bird usage.
    - The submission concludes that the applicant's assessment is not based on adequate scientific evidence and that the conclusions reached regarding qualifying species, particularly Greylag Goose, are inconsistent and contradictory throughout the documentation.
    - Reference is made to paragraph 5.3 of the Further Information response, which is stated to be silent on potential impacts on qualifying bird species.

- The GoA raises concerns regarding the adequacy of ecological survey data, noting that:
    - No ornithological surveys were undertaken during 2024.
    - No complete winter survey programme was carried out.
- The GoA identifies several shortcomings in the assessment of hydrological impacts, including:
    - Piling activities have not been assessed in either the Environmental Report or the Natura Impact Statement, despite the potential for impacts on water quality, surface water runoff and noise levels.
    - Infiltration testing has not been undertaken. As a result, the suitability of the proposed Sustainable Drainage Systems (SuDS) strategy cannot be verified.
    - The Flood Risk Assessment acknowledges that, should infiltration rates prove inadequate, the drainage system would discharge to the nearest drain or watercourse.
    - The applicant has not adequately assessed compliance with the Water Framework Directive (WFD), as the final surface water drainage solution has not yet been determined.
- The GoA further contends that:
    - Conditions requiring further ecological surveys and subsequent mitigation measures would be inappropriate where an NIS has been submitted, as planning permission cannot lawfully be granted on the basis of future surveys intended to address outstanding ecological uncertainties.
    - Condition 6, requiring agreement with a landowner for temporary access, introduces uncertainty regarding implementation of the development. It is argued that, should such agreement not be reached, the permitted dwelling approved under Reg. Ref. 24/60392 could not be constructed in accordance with the relevant permission.

- Concerns previously raised in submissions to the Planning Authority remain applicable.
    - The application is considered invalid on the basis that the application form, maps and drawings are not compliant with statutory requirements.
    - The proposed future substation and grid connection works constitute project splitting and should have been assessed as part of the overall development proposal.
    - There is no specific national planning policy relating to solar farms, and the submission references UK guidance in this regard.
    - Questions the conclusion that an EIAR is not required,
    - The proposed access arrangements are contrary to Section 13.16.5.1 of the County Development Plan relating to development accessing Regional Roads.

<u>Braganstown Farm Unlimited Company (BFULC) (Stephen Ward Town Planning and Development Consultants Ltd)</u>

- The GoA states that the proposed development conflicts with National, Regional and local planning policies including:
    - Food Wise 2025 - Key strategy for Irelands Food Production Sector, Notes that the strategy predicts that increasing global demand for food produce will significantly benefit the Irish food production sector. Appellant states that quality in food production is key and proposed developments that might impact on food quality should not be permitted
    - Realising our Rural Potential -Action Plan for Rural Development. Agri-food sector is hugely important to rural communities and the national economy and is identified as a sector where there is potential for enterprise growth and job creation.
    - National Planning Framework -Notes NPO23 and that Solar Farm Developments are not mentioned.

- RSES - Notes that the RSES acknowledge the role and contribution of Agriculture the economy and RPS are reflected of this.
- BFULC and surrounding farms, including the application site are significant employers in the area and the proposed development has the potential to threaten and undermine these jobs. Considers the proposed development material contravention of the Louth County Development Plan. Submits that the last place such a development proposal should be constructed is on such high-quality agricultural land. References the economic and employment policy section of the plan which includes reference to the Louth Local Economic Community Plan.
- The River Glyde is a key resource for the operation of the Braganstown Farm and if polluted could have serious implications for the operation of the Farm and concludes no assessment of potential impacts on the operations of the surrounding farms have been included the in the application documentation. Concern that no infiltration testing has been undertaken and a detailed drainage design has not been undertaken.

- The GoA identifies a number of deficiencies in the Natura Impact Statement (NIS) and supporting ecological assessments, including:
  - The NIS recommends a series of post-consent studies, the outcomes of which may necessitate additional mitigation measures that are currently unknown.
  - The Ecological Impact Assessment (EcIA), in relation to Dundalk Bay SPA, acknowledges that further mitigation may be required to fully exclude the possibility of significant adverse effects.
  - In respect of Braganstown SPA, it is argued that ornithological connectivity between the site and the SPA cannot be ruled out without additional mitigation measures.

- The submission notes that while the likelihood of Greylag Goose using the site may be reduced due to lower numbers in the surrounding area, this conclusion relies heavily on I-WeBS data and is not supported by adequate site-specific survey information.
- The site is acknowledged as having the potential to support qualifying bird species, including Lapwing and Common Snipe.
- The absence of winter bird surveys during 2024 and the lack of survey data covering the full wintering period (October–March) are identified as significant deficiencies. It is argued that surveys undertaken between February and October 2025 are not sufficient to assess wintering bird usage.
- The submission concludes that the applicant's assessment is not based on adequate scientific evidence and that the conclusions reached regarding qualifying species, particularly Greylag Goose, are inconsistent and contradictory throughout the documentation.
- Reference is made to paragraph 5.3 of the Further Information response, which is stated to be silent on potential impacts on qualifying bird species.

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  - Piling activities have not been assessed in either the Environmental Report or the Natura Impact Statement, despite the potential for impacts on water quality, surface water runoff and noise levels.

- Infiltration testing has not been undertaken. As a result, the suitability of the proposed Sustainable Drainage Systems (SuDS) strategy cannot be verified.
- The Flood Risk Assessment acknowledges that, should infiltration rates prove inadequate, the drainage system would discharge to the nearest drain or watercourse.
- The applicant has not adequately assessed compliance with the Water Framework Directive (WFD), as the final surface water drainage solution has not yet been determined.
- Conditions requiring further ecological surveys and subsequent mitigation measures would be inappropriate where an NIS has been submitted, as planning permission cannot lawfully be granted on the basis of future surveys intended to address outstanding ecological uncertainties.

- Other Matters Raised in the GoA
  - Condition 6, requiring agreement with a landowner for temporary access, introduces uncertainty regarding implementation of the development. It is argued that, should such agreement not be reached, the permitted dwelling approved under Reg. Ref. 24/60392 could not be constructed in accordance with the relevant permission
  - Planning application should be considered invalid as it does not comply with administrative and regularity requirements.
  - Access onto R166 is not merrily an upgrade but a substantial material change to the existing agricultural access
  - Land is primarily extremely high tillage land, proposal should be assessed on sequential assessment in terms of land quality, with alternatives considered and justification for the location.
  - Considers access contributes to traffic hazards along the road network and visibility splay cross lands outside the site boundary. Consider a

Road Safet Audit should be considered prior to any development is permitted.

- Stage 1 flood risk assessment only submitted. No provision to attach conditions relating to NIA require future works to be achieved.
- Highlights RFI notices are not compliant with legislation
- Considers that the FI request was not answered and therefore the application should have been considered withdrawn

Kevin and Sarah Sweeney

- The GoA include:
  - Highlight that they reside directly opposite the proposed development site, on the opposite side of the River Glyde, and that their dwelling is identified as one of the most directly affected properties in the submitted Glint and Glare Assessment. The appellants note that their children are educated at home and are particularly sensitive to environmental disturbance, requiring a calm and predictable home environment.
  - concern that exposure to glint and glare effects, prolonged construction noise, increased heavy goods vehicle traffic, and visual intrusion would have an intensified impact on their family.
  - They consider that the proposed development would be contrary to the proper planning and sustainable development of the area and would result in a material injury to the residential amenity and enjoyment of their property.
  - Concern regarding, he location of the proposed development within a sensitive rural landscape in proximity to the Stabannan-Braganstown SPA, lands associated with proposed Natural Heritage Areas (pNHA), and heritage features including Derrycammagh Motte and Bailey.
  - Concerns raised regarding habitat disturbance, hedgerow removal, potential impacts on surface water quality within the River Glyde

catchment, and cumulative landscape effects, which it is argued have not been adequately assessed.

- Reference is made to the rural policies of the Louth County Development Plan contending that no site-specific locational justification or strategic need has been demonstrated for the development in this rural location adjoining existing dwellings and productive agricultural land.
- Concerns are also expressed regarding impacts on the local environment, heritage assets, landscape character and the wider community.
- They consider that the proposed solar farm would permanently alter the rural landscape enjoyed from their family home and that the industrial scale of the development, together with associated glint and glare effects and visual dominance, would fundamentally alter the sense of rural tranquillity currently experienced.
- Concerns are further raised regarding the potential effects of the construction phase on the family's dairy farming activities, including soil degradation, compaction and long-term impacts on productive agricultural land.
- They consider that the proposed development threatens an area of significant ecological, cultural and heritage value.
- Concerns are raised regarding habitat fragmentation, hedgerow removal and ongoing operational disturbance. The submission also refers to a perceived lack of community support for the proposal and highlights the cumulative impact of the proposed development in conjunction with the recently permitted Knockdinnin Solar Farm, located approximately 4.3 kilometres from the appeal site.

<u>In support of the Appeal</u>

Submission from Raymond Sweeney, Niall Sweeney and Barry and Gráinne O'Connor are summarised as follows

- concerns about the impact on local wildlife, particularly Greylag Geese and other species within the Braganstown SPA
- There are worries about habitat loss, fragmentation of biodiversity corridors, and negative effects on local ecosystems.
- Concerns are raised about potential impacts on water quality in the River Glyde, compliance with the Water Framework Directive, and flood risk management
- highlight risks of noise, light, and dust pollution during both construction and operation, with potential adverse effects on biodiversity and residential amenity
- the development would negatively alter the rural landscape, with glint and glare from solar panels detracting from visual amenity
- The scale of the project is described as industrial and inappropriate for a rural setting, potentially conflicting with national objectives for rural landscape protection
- concerns about the sufficiency of the Ecological Impact Assessment, Appropriate Assessment, and Glint and Glare Assessment
- objections and concerns raised during the planning process were not adequately addressed by the Planning Authority
- The potential erosion of the area's cultural and historic setting.
- the cumulative impacts of multiple solar developments in the area have not been properly assessed
- concern that the project would remove land from productive agricultural use for a generation, even if decommissioning is planned

Victoria Murray and Stephen O'Neill

- Direct Impact on their Property

- They are occupiers of a dwelling adjoining the application lands and would be directly affected by the proposed development, especially regarding construction access, noise, glint and glare, and safety.

- Construction Access Arrangements
  - The construction access route assessed in the application is no longer available due to a new dwelling being granted permission on the land intended for temporary access (PA Ref. 2460392). As a result, the assessed access arrangement is no longer deliverable
  - The Planning Authority deferred resolution of this access issue to a post-consent condition, which the appellants argue is unreasonable and leaves the deliverability of the project uncertain
  - The use of banksmen to manage construction traffic is considered an operational measure, not a design-led solution, and does not address land availability or guarantee uninterrupted or emergency access to their property
- Potential Restriction of Lawful Access
  - Concern that their lawful access may be impeded, restricted, or controlled to facilitate construction traffic
  - Permission should not be granted where access arrangements remain unresolved and necessary landowner consents are not demonstrated
- Visual Amenity (Glint and Glare)
  - Their property is identified as Receptor 34 in the Glint and Glare Assessment, which acknowledges potential impacts
  - the assessment downplays these effects and relies too much on post-consent surveys and future mitigation
- Battery Energy Storage System (BESS) Safety:
  - The proposed BESS would be located approximately 200 metres from their property.

- No detailed assessment of fire risk, public safety, or emergency response procedures has been provided
- The omission of such assessments is significant, especially given the unresolved access arrangements and lack of conditions requiring further evaluation

In support of the Appeal

Submission by Ciaran O'Neill Summarised as flows:

- The proposed development is expected to negatively affect the viability of local dairy farming due to noise, vibration, and increased construction traffic, which could stress livestock and disrupt operations
- A significant area (approximately 270 acres) of productive agricultural land would be lost for 40 years, with an additional 412 acres already allocated to a nearby solar farm. The cumulative impact on agricultural productivity has not been fully assessed
- The volume of construction traffic on narrow local roads is seen as incompatible with ongoing farm activities. There are also concerns about emergency vehicle access, especially regarding the proposed Battery Energy Storage System (BESS) facility, referencing previous planning refusal due to similar issues.
- There is apprehension about the risk of contaminating a natural spring that supplies water to the farm, with claims that mitigation measures are insufficient
- The disturbance of habitats during construction may not allow for successful re-establishment, potentially increasing interactions with wildlife that carry diseases such as TB, thereby raising the risk of disease spread.
- The long-term removal of productive land could contribute to the decline of small-scale farming, reduce local food production, and have broader environmental consequences

- The installation and operation of CCTV cameras as part of the development may impact the privacy of local residents

Briege and Barney O'Neill and Others

- Reference to Previous Planning Decisions
    - Cites refusals of planning permission for nearby developments (e.g., Planning Reference 2560115 and 2460091) due to concerns about hedgerow removal, visual dominance, landscape character, and potential impacts on the SPA
    - Argues that the current proposal would result in even greater hedgerow removal, more industrial traffic, and more extensive landscape alteration than those previously refused
    - Contends that there is inconsistency in decision-making regarding environmental and ecological impacts
- Construction Access and Traffic Impacts
    - Raises significant concerns about the suitability of the proposed construction access arrangements, particularly the use of Local Road L51774, a narrow cul-de-sac deemed unsuitable for heavy construction traffic
    - Argues that the development would cause a fundamental and unreasonable increase in traffic volumes, disproportionately burdening local residents
    - States that the wider road network lacks the capacity to safely accommodate the proposed construction traffic, raising road safety concerns for all users
- Access Point 2 – Physical and Legal Constraints
    - Notes that a dwelling has been constructed at Access Point 2 (Planning Reference 2460392), making the proposed access physically unachievable as planned.

- implementation of the access would require encroachment onto private property and trespass through a residential garden.
- Asserts that it is not legally appropriate to grant permission without demonstrated entitlement to construct the access.
- Highlight that substantial hedgerow removal and significant land regrading would be required, with these impacts inadequately assessed

- NIS and Greylag Goose
  - Challenge the NIS conclusion that the lands do not function as supporting habitat for the SPA
  - Point out that the applicant's own Winter Bird Survey mapping recorded a flock of about 40 Greylag Geese on the site in November 2023 and further observations in February and December 2023, contradicting the NIS
  - that this contradiction undermines the scientific basis of the ecological assessment and the conclusion that the development would not adversely affect the SPA
  - State that permanent industrialisation of these lands cannot be fully mitigated and is incompatible with conservation objectives
- Ecological Survey Methodology
  - Question the adequacy and robustness of the ecological surveys, noting the omission of Kingfisher records and inconsistencies with surveys elsewhere in the river catchment
  - the baseline data is incomplete and unreliable, undermining the Appropriate Assessment.
  - Reference European case law on Ireland’s obligations under the Habitats Directive, stating that the proposal does not meet legislative requirements.
- Archaeological Impacts

- Question the adequacy of the archaeological assessment, noting that only about 5% of the area was surveyed, which is insufficient
- Questions the approach of deferring further archaeological testing to post-consent conditions rather than including it in the application

- Agricultural Land Use
  - the development would result in the loss of prime agricultural land without a comprehensive assessment of impacts on productivity and sustainable land management
  - State that this is contrary to Louth County Council policies, which seek to balance renewable energy with protection of productive agricultural land
  - Note that pre-planning consultations directed site selection toward brownfield or lower-value lands
- Climate Benefit Assessment
  - Contend that the climate benefits of the proposal have not been adequately quantified or substantiated
- Hydrology, River Glyde and Natura 200 Sites
  - Express concern about potential hydrological impacts on the River Glyde and downstream Natura 2000 sites
  - Point out the lack of cumulative assessment with the nearby Knockdinnin Solar Farm, calling this a significant deficiency in the Appropriate Assessment process

<u>In support of the Appeal</u>

Submissions from Philomena Walsh; Mary Cumiskey; Fiona Cumiskey; Jennifer Cumiskey; Cyril Cumiskey; Padraig McHale; Gerard and Christine Kerley; Maura Walsh; Darren O'Rourke; Mark and Pauline O'Rourke; Muireann Toner; Niamh O'Rourke; Christopher Lennon summarised as follows:

- Concerns about destruction of hedgerows, fragmentation of ecological corridors, and loss of habitats for protected species (e.g., whooper swan, greylag geese).
- Risks to local wildlife and Natura 2000 sites
- Risks of siltation, hydrocarbon pollution, and contamination of the River Glyde and connected watercourses.
- Vulnerability to pollution and lack of adequate flood risk assessment
- Loss of productive, high-quality agricultural land and concerns about overdevelopment on prime farmland.
- scale of industrial development in a sensitive rural landscape and claims that visual assessments understate the impact
- Fears that the development will fundamentally alter the rural and residential nature of the area.
- Fears that the development will fundamentally alter the rural and residential nature of the area.
- Significant concerns about the safety of the Battery Energy Storage System (BESS), including fire risk, emergency access, and lack of fire safety management plans
- Fears about impacts on health, privacy, and sense of security due to proximity, fencing, lighting, and surveillance
- Fears about impacts on health, privacy, and sense of security due to proximity, fencing, lighting, and surveillance
- Lack of adequate traffic and construction management plans, with some assessments relying on outdated or incomplete data
- Reliance on post-decision mitigation conditions rather than thorough pre-approval assessments
- The proposal conflicts with local, national, and European policies on heritage, environment, and land use.

- Outdated or inaccurate baseline data, especially regarding residential properties and local conditions
- Concerns that the project, combined with other solar farms, will have greater negative impacts
- Lack of credible decommissioning plans and fears that this is only the first phase of larger developments

7.2. Applicant Response to 3rd Party Appeals and supporting submissions

The applicant's response to the grounds of appeal and submissions are addressed on a thematic basis

7.2.1. Landscape and Visual Impact

- The Landscape and Visual Impact Assessment (LVIA) adequately assessed the effects of the proposed solar farm and was accepted by Louth County Council (LCC). The LVIA used a 5 km study area, Zone of Theoretical Visibility (ZTV) analysis, field verification, representative viewpoints and photomontages. The site is characterised as an undesignated, intensively farmed agricultural landscape with medium-to-large fields, mature hedgerows and dispersed rural housing, with no national or regional landscape designation.
- The low-profile solar panels and associated infrastructure would remain largely contained within existing field boundaries, while the BESS infrastructure would be consolidated within defined compounds. The resulting landscape change is considered to be localised, with generally low-to-moderate visual magnitude and no significant or profound effects on landscape receptors.
- For residential receptors, the LVIA considered distance, orientation, screening, and duration of exposure. Existing hedgerows provide substantial filtering, and no significant adverse visual effects on residential amenity were identified

- Cumulative effects were also assessed, including other relevant developments within the study area, with the applicant stating that there would be no landscape domination, skyline clutter or perception of continuous energy infrastructure.
- The LVIA assessed cumulative effects with other permitted or relevant developments within the study area. It found no evidence of landscape domination, skyline clutter, or a perception of continuous energy infrastructure. Other projects are located 3–4km from the site, and cumulative effects were not assessed as significant

7.2.2. Ecology and Appropriate Assessment

- Additional wintering bird surveys were conducted from February 2025 to February 2026, as requested by Louth County Council (LCC), and results were incorporated into an updated Natura Impact Statement (NIS)
- The surveys recorded limited use of the site by Greylag Goose, although birds were observed flying over adjacent lands. The applicant has also committed to voluntary ongoing ornithological surveys. LCC and NPWS are stated to have accepted the adequacy of the surveys and mitigation measures.
- Both Appropriate Assessment (AA) Screening and a full NIS were completed, including consideration of in-combination effects and the conservation objectives of European sites.
- The NIS concluded that, with mitigation, the development would not adversely affect the integrity of European sites either alone or in combination with other projects.
- Piling would be confined to soil/subsoil and would not generate significant vibration, and that surveys undertaken by qualified ecologists, and no species observed were omitted from reports.
- Hedgerow removal would be limited and offset by new planting. Habitat corridors would be maintained through planting, buffers and mammal gates, while bat mitigation includes retention of roosting trees, limited artificial lighting and bat boxes

- A 20m Buffer zone is provided from River Glyde (exceeding policy requirements), with meadow management areas to enhance biodiversity and support birds and bats
- No works will occur within or directly adjacent to the river or its tributaries; buffer zones and SuDS are integrated to protect water quality and ecological integrity.

7.2.3. Hydrology, Flood Risk and Water Quality

- A flood risk assessment was submitted with the application (Technical Appendix 4), with the entire site in Flood Zone C, representing the lowest flood-risk category in the CFRAM mapping. Potential pluvial flooding was identified, but predicted depths are stated to be less than 0.3 m and below the minimum panel height. The assessment is a Stage 3 Assessment incorporating hydraulic modelling and complies with relevant national guidelines and LCC policies.
- The submitted Drainage Impact Assessment (DIA) includes an outline SuDS design for surface water management. Detailed infiltration testing will be carried out prior to construction to inform the final drainage design, secured by a pre-commencement planning condition.
- If infiltration proves unsuitable, controlled discharge to local drains or watercourses would occur at agreed rates.
- Pollution prevention and drainage control measures are detailed in the Outline Construction Environmental Management Plan (OCEMP) and will be supervised by an Ecological Clerk of Works (ECoW).
- The site is greenfield agricultural land with negligible contamination risk; piling is not expected to create pollution pathways.
- The risk of pollution to waterways is assessed as low to negligible with these measures in place

7.2.4. Traffic, Access and Transport

- The R166 access is not a protected regional road, so restrictions in the County Development Plan do not apply in the same way as for protected roads. Access complies with the requirements of the LCDP.
- All construction traffic will approach from the M1 to the east, following a designated haul route and will only briefly cross the LS1774 from one field to another, not travel along its length.
- Temporary Traffic Measures (TTM), including signage, banksmen, and a delivery booking system, will be implemented to manage HGV movements and ensure safety.
- During operation, only Light Goods Vehicles (LGVs) will use the LS1774 for maintenance, with very infrequent visits (one every 7–10 days)

7.2.5. Noise

- The updated Noise Impact Assessment (NIA) (dated 07/11/2025) includes a construction noise assessment in line with BS5228-1:2009+A1:2014, as requested by Louth County Council (LCC).
- Background noise monitoring was conducted (04/09/2025–07/09/2025) to establish representative baseline levels. The assessment predicts that construction noise will remain below the relevant daytime threshold of 65dB at all assessed noise-sensitive receptors. Effects are temporary and not significant.
- The updated NIA, compared predicted operational noise to measured background levels. The worst-affected receptor (Receptor 3) is predicted to experience a rating level of 31dB, below the background noise climate, indicating negligible impact.
- Night-time internal noise levels, accounting for open window attenuation, are predicted to be well below the recommended criterion of 30dB for bedrooms. Operational noise is expected to be inaudible to occupants during typical sleeping conditions

- Specific concerns relating to piling, livestock and individual residential receptors are addressed. The applicant states that piling noise at the closest livestock location would be approximately 48 dB and could be reduced by moving livestock further away. Construction noise at Receptor 13 is predicted at 49 dB, while a minor exceedance is identified for an unoccupied dwelling at Receptor 12, with mitigation proposed should it become occupied

7.2.6. Glint and Glare

- The assessment identified potential glint and glare at properties south of the development, with Receptors 16–19 theoretically experiencing up to 26.23 hours annually. These effects were classified as medium and were predicted primarily between 06:00 and 07:00 during the summer period.
- For Receptor 34, the predicted effect is approximately 3.2 hours annually, equating to less than 10 minutes per day, during summer evenings. This is classified as a low impact. The applicant considers the frequency and duration insufficient to constitute a significant adverse impact.
- The assessment clarified that due to the geometry of the sun's path, properties directly south of south-facing panels would not actually receive glint and glare impacts. The predicted impacts are instead from an area of the development to the east of these properties.
- For Receptor 34 (Stephen O'Neill, Victoria Murray, and others), the predicted impact is minimal: 3.2 hours per year, less than 10 minutes per day, between 18:30 and 19:00 UTC in summer, classified as a low impact. Existing vegetation may only partially screen these properties, but the low frequency and duration of effects mean no significant adverse impact is expected.

7.2.7. Archaeology and Cultural Heritage

- A full Archaeology and Architectural Heritage Impact Assessment (AAHIA) was prepared and submitted in line with local policy. The investigation included a geophysical survey (under Ministerial licence) and targeted archaeological test trenching (8,717 linear metres) focused on geophysical anomalies and infrastructure footprints. This approach is consistent with

national policy, which requires proportionate, targeted investigation rather than a fixed percentage.

- Eight archaeological areas were identified. The applicant states that these findings were characterised before determination and that a mitigation strategy has been developed using the statutory hierarchy of preservation in situ where feasible and preservation by record where avoidance is not possible. Post-consent excavation under licence is characterised as implementation of mitigation rather than a deferral of assessment.
- The Derrycammagh Motte and Bailey and other recorded monuments within a 2 km study area were assessed through desk study, site inspection and visibility modelling. The applicant states that the development does not encroach upon the monument and that the low-lying, reversible nature of the development would protect its setting.

7.2.8. Fire Safety and BESS Risk

- BESS infrastructure is governed by European safety standards (EN) and managed by the National Standards Authority Ireland (NSAI)
- The planning application included details on BESS design, safety features and access arrangements in the Planning Statement, Construction Traffic Management Plan (CTMP), and Outline Construction Environmental Management Plan (OCEMP)
- A Fire Safety Certificate will be obtained from Louth Fire and Rescue Services prior to commencement, which will involve a hazard analysis and risk assessment
- The final BESS infrastructure will incorporate industry-standard safeguards to minimise the likelihood and severity of thermal runaway

7.2.9. Loss of Prime Agricultural Lands

- The development represents dual-purpose land use rather than permanent removal of the land from agriculture. Sheep grazing would continue beneath and between panels throughout the 40-year operational period. Ground

disturbance is estimated at approximately 4.05% of the site, leaving most of the land available for grazing and habitat development. The applicant also proposes agri-environmental enhancements and states that the site would be restored to pasture after decommissioning.

7.2.10. Food Wise 2025 and Agricultural Policy

- The project is compatible with agricultural diversification because land rental would provide an additional income stream while sheep grazing continues. It relies on national, regional and county policy supporting rural economic diversification and renewable energy, including the NPF, RSES and Louth County Development Plan.

7.2.11. Soil Quality

- Land quality and site selection were addressed in the submitted Planning Statement, with the site selected partly because of its suitability for dual-use agrivoltaics and its limited conflict with sensitive receptors. Soil erosion is addressed in the FRA/DIA, with associated soil-management and erosion-control measures described as standard practice.

7.2.12. Brownfield or low quality alternatives / Sequential approach

- There is no statutory requirement to undertake a dedicated sequential assessment (i.e., a formal process of considering brownfield or lower quality land before greenfield sites) for renewable energy-led proposals under Irish planning law or policy
- The site enables continued agricultural activities (e.g., sheep grazing) alongside solar energy generation, ensuring sustainable land management and minimal disruption to existing land use

7.2.13. Project Splitting

- The 110kV substation and associated cabling are not part of the current application and will be subject to a separate future planning application, which is considered lawful and standard industry practice.

7.2.14. Invalidity Issues.

- The public notices contained the full development description, accurately setting out all components, specifications, and access arrangements, fully satisfying regulatory requirements and sufficiently informing the public.
- The main FI response was received within the extended period agreed with Louth County Council (LCC)
- The online application form was correctly completed and aligned with the plans and notices
- Landowner consents covered all access arrangements, including minor overlaps, and pending Land Registry transfers does not negate consent
- The EIA Screening Report and legal precedents confirm that solar farms do not fall within classes requiring mandatory EIA, and internal access tracks are not considered "private roads" under the regulations. Hedgerow removal is limited and mitigated

7.2.15. Operational Water Concerns

- The operational phase of the Derrycammagh Solar Farm does not require a permanent water supply. This is standard practice for solar projects in Ireland, as the facility generates electricity without any process water demand.
- Potable water is only required during the temporary construction phase. During this period, water will be stored in a holding tank within the welfare facility located in the temporary construction compound.

7.2.16. Carbon Footprint and Climate Balance

- the proposed solar farm will provide a clear net-positive contribution to climate action by generating renewable electricity and displacing fossil-fuel emissions. A full lifecycle carbon assessment is not required for a development that does not require EIA

7.2.17. Cumulative impact assessment and over concentration

- The applicant states that cumulative impacts were assessed across a 5 km radius and considered existing, permitted and proposed developments. The assessment was incorporated across the LVIA, EcIA, NIS, Planning

Statement and AAHIA. It concludes that significant cumulative interactions or combined effects are unlikely

7.2.18. Residential and Personal Impacts.

- The applicant relies on the landscape, noise and glint-and-glare assessments to argue that residential amenity would not be adversely affected. It also cites guidance and industry evidence regarding property values, stating that no evidence was presented demonstrating health impacts or adverse effects on property values. The applicant therefore concludes that there is no evidential basis for unacceptable residential or personal impacts

7.3. **Planning Authority Response**

- No Response Received from the Planning Authority

7.4. **Observations**

7.4.1. Uisce Éireann

- Development needs to comply with the WFD and River Basin Management Objectives during both construction and operational phases of the development to ensure that development will not negatively impact on the water quality or source / receiving waters. Applicant shall also comply with the ground water directive and best practice Ground Water Protection Schemes in accordance with GSI Protection. If seeking connection, applicant to enter a connection agreement with UE, No element shall be built over an UE infrastructure assets, shall not impact drinking water sources or abstraction points / infrastructure.

7.4.2. Observations Received from Babara Murray; Carol Murray summarised as follows

- Concern relating to the conversion of 270 hectares of productive agricultural land into a solar farm, emphasising the negative impact on local farming and rural landscape. Highlight that brownfield sites would be more suitable for such developments

- Concerns are raised about the unviability of construction access, especially due to a newly built residential property blocking Access Point 2
- highlight that the narrow local road network is unsuitable and unsafe for the volume and type of construction traffic proposed
- question the adequacy and accuracy of ecological surveys, noting contradictions (e.g., presence of Greylag Geese and Curlew not reflected in documentation)
- highlight risks to local wildlife (birds, pine marten, foxes, badgers, owls) and criticise the reliance on assumptions and the precautionary principle rather than scientific certainty.
- concerns about the site's direct hydrological connection to the River Glyde and the risk of sediment or pollutants reaching protected waters (Dundalk Bay SAC and SPA), with implications for compliance with the Water Framework Directive
- concern regarding the lack of comprehensive archaeological assessment, arguing that deferring archaeological testing until after approval puts historic sites at risk
- the lack of a fire assessment and safety plan for the BESS, noting its proximity to residential properties and inadequate emergency access
- the lack of a fire assessment and safety plan for the BESS, noting its proximity to residential properties and inadequate emergency access
- stress that regulatory safeguards (Habitats and Birds Directives) must not be bypassed
- concern that such projects may primarily benefit large data centres, and policy should not allow single-industry influence on decision-making
- not clearly demonstrating the climate benefits of the proposed development

8.0 **Assessment**

8.1. Having inspected the site and having examined the application details and all other documentation on file, including the reports of the Local Authority, the grounds of appeal, submissions and observations on file and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Landscape and Visual
- Site Contours and Levelling
- Site Suitability
- Archaeology and Cultural Heritage
- Biodiversity
- Glint and Glare
- Noise/Vibration
- Flood Risk, Drainage and Water Quality
- Traffic, Access and Transport
- Battery Energy Storage System(BESS), Fire Safety and Risk Management
- Ground Maintenance, Soil Stripping, Storage and Maintenance
- Fencing Security and Lighting
- Other Matters

8.2. **Principle of Development**

National Policy

8.2.1. As outlined in Section 5 of this report, CAP 2025 reaffirms Ireland's commitment to increasing renewable electricity to 80% by 2030, with an indicative solar capacity target of up to 8 GW by 2030. Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024 establishes a

pathway towards carbon neutrality by 2050, with renewable energy generation forming part of the transition to a climate-neutral economy. The National Adaptation Framework (2024) requires climate risks and resilience to be incorporated into infrastructure and sectoral planning. In this context, I consider that the proposed solar farm (with an export capacity of 74MW) would represent a site-specific contribution to Ireland's renewable energy generation capacity and would be consistent with the established national policy direction towards increased renewable generation and decarbonisation.

8.2.2. I note that the grounds of appeal make reference to NPO 23 of the National Planning Framework stating that Solar Farm Development is not specifically mentioned. NPO23 states '*Protect and promote the sense of place and culture and the quality, character and distinctiveness of the Irish rural landscape including island communities that make Ireland's rural areas authentic and attractive as places to live, work and visit. Any successor policy documents relating to national policy for rural areas and the islands will ensure continued alignment and consistency with the National Policy Objectives of this Framework.'.*

I note that NPO 30 states 'Facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.'

I consider NPO23 as a broad landscape protection policy that protects and promotes the quality, character and distinctiveness of the rural landscape. My interpretation of NPO23 is that it is not directed at prohibiting particular forms of rural development, if appropriately designed, sited and integrated into the existing landscape. I consider that where a development proposal is suitably located, incorporates suitable mitigation measures and demonstrates that

landscape, biodiversity and heritage impacts are acceptable, that it is consistent with both NPO 23 and NPO 30 of the NPF.

8.2.3. I note that the grounds of appeal reference Food Wise 2025 a key strategy for Irelands Food Production Sector and that quality in food production is key and proposed developments that might impact on food quality should not be permitted. I note that Food Wise 2025 promotes a sustainable and resilient agri-food sector. The strategy promotes diversification, solar farm developments can support farm viability through diversification, often allowing continued use such as grazing. I consider that the proposal is consistent with the objectives of the Food Wise 2025 strategy and, provided mitigation measures are implemented to ensure any environmental issues are addressed that the proposed development would not impact on food quality produced in the area, which would be consistent with national policy

8.2.4. I note that the grounds of appeal reference 'Realising our Rural Potential – Action Plan for Rural Development', which identifies the agri-food sector as hugely important to rural communities and the national economy and is identified as a sector where there is potential for enterprise growth and job creation. The Action Plan seeks to strengthen rural communities by encouraging new economic opportunities and diversification of rural enterprises. Renewable energy projects, including solar farms, provide farmers and landowners with an additional long-term income source, thereby improving the resilience and sustainability of rural businesses. Therefore, I consider that the proposed development is consistent with the action plan and aligns with national policy.

Regional Policy

8.2.5. The Eastern and Midland Regional Spatial and Economic Strategy (RSES) 2019–2031 recognises the importance of renewable energy infrastructure as essential in achieving national climate and energy objectives and identifies rural areas as integral to this transition. RPO 4.84 and RPO 6.7 support diversification in rural areas and the development of sustainable and economic efficient rural economies through varies sectors including renewable energy,

which is a key component for the transition to a low-carbon environment. RPO 10.19 supports the infrastructural requirements necessary to facilitate the transmission of renewable energy into the National Grid for consumption. Subject to satisfactory site specific environmental assessment, I consider that the proposed development is consistent with the climate action, rural development and renewable energy objectives of the RSES.

Louth County Development Plan 2021-2027 (as varied) (LCDC)

8.2.6. The Louth County Development Plan 2021–2027 (LCDP) sets out a comprehensive policy framework to support renewable energy infrastructure in line with European, National and Regional climate and energy policy. The site is in unzoned open countryside. The site or immediate area does not have any specific zoning designations.

8.2.7. The LCDP includes a number of high-level policies and objectives to support European, and National Level Policy. Policy objectives CA 1, CA 6, IU 49 and IU 55 ensure consistency with Climate Action and Renewable Energy Policy. Policy Objective NBG 3: relates to compliance with the Habitats and Bird Directives. I am satisfied that the proposed solar farm is supported in principle by the LCDP and would contribute to national and regional renewable energy targets.

8.2.8. At site specific level the proposed development complies with policy objective EE62 of the LCDP which facilitates the diversification of the agricultural sector by supporting alternative farm enterprises subject to the nature and use been compatible with the environment within which it is located. The proposed development is also consistent with policy objective IU 64, of the LCDP which supports the development of solar energy infrastructure in the County including commercial scale ground mounted solar PV 'Solar Farms' subject to environmental safeguards and the protection of natural and built heritage features, biodiversity and views and prospects.

8.2.9. Section 10.7 of the LCDP states that when assessing planning applications for solar energy, development proposals shall have regard *inter alia* to: Landscape Character of County; Site contours and levelling on site; Site suitability:

Brownfield lands or poor agricultural lands; Visual and landscape impact; Ecology ; Heritage; Glint & glare; Ground maintenance, soil stripping, storage and maintenance; Fencing, security & lighting; Drainage; and Decommissioning.

Conclusion

8.2.10. In conclusion, the principle of developing a commercial-scale solar farm at this location is acceptable in principle. National policy supports the expansion of renewable energy and solar generation as part of Ireland's climate and decarbonisation objectives, while regional policy supports renewable energy infrastructure and diversification of the rural economy.

8.2.11. At local level, the LCDP provides specific policy support for renewable energy and, in particular, commercial-scale ground-mounted solar PV developments, subject to appropriate environmental safeguards and the protection of landscape, biodiversity, heritage and visual amenity. The proposal is also consistent with the objectives relating to agricultural diversification and rural economic development.

8.2.12. Therefore, I consider that the proposed solar farm is acceptable in principle at this location, subject to satisfactory assessment and mitigation of its potential landscape, visual, ecological, heritage, agricultural, drainage, glint and glare, traffic and other environmental impacts.

8.3. **Landscape and Visual.**

Landscape Character

8.3.1. A landscape and visual assessment was submitted as part of the documentation to the PA on the 19/12/2024. 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA), 3rd Edition, 2013, Landscape Institute (UK) & Institute of Environmental Management and Assessment (IEMA) was used by the applicant and is considered current best practice.

8.3.2. The site is located in a rural setting, covering approximately 108 hectares at an elevation of between 9-21 metres above ordinance datum (AOD). The site comprises 16 agricultural fields primarily used for arable farming and cattle

grazing. Fields are bounded by mature trees, native species hedgerows and post and wire fencing. The surrounding landscape is predominately agricultural, with isolated dwellings and farms. The River Glyde runs to the South of the site contributing to the natural features of the area.

8.3.3. From my site inspection, I noted that the landscape is generally flat with some undulating areas mainly to the north, field sizes appeared to be large with hedgerows providing a sense of enclosure particularly along the field boundaries and road network. I would consider that any potential visual impacts would be localised due to the enclosed nature provided by field boundaries.

Landscape Character Area

8.3.4. The proposed development is located within The Muirhevna Plain Landscape Character Area. (Map 8.5 of the LCDP), which is within a landscape classified as having low value, low landscape sensitivity and local importance. From my site inspection I note that the location exhibits the following characteristics:

- The location is already influenced by human activity, such as agriculture, roads, or dispersed rural development.
- The landscape is not rare, distinctive or highly scenic in nature.
- It has a relatively enclosed character, with mature hedgerows, woodland or landform limiting visibility.
- Existing vegetation and topography can effectively screen or integrate the development.

Therefore, I am satisfied with the landscape classifications of low value, low landscape sensitivity and local importance.

8.3.5. Construction Phase: the effects are considered temporary and adverse, mainly confined to the site and its immediate surroundings (within 250 m). Landscape impacts are due to construction activities, vehicle movement, and temporary infrastructure. Beyond 500 m, effects are not significant due to screening by vegetation and distance. Overall significance is considered Slight Adverse to Not Significant and temporary.

8.3.6. Operational Phase: The main impact is the introduction of solar panels and associated infrastructure, changing the character within the site. Direct landscape effects are limited to the site; indirect effects are greatest within 500 m but diminish rapidly with distance. Overall significance is considered Slight Adverse to Not Significant.

8.3.7. Mitigation Measures include extensive planting (native hedgerows) to further screen the development and enhance biodiversity. The Landscape and Ecology Management Plan submitted as part of the planning application details over 1,700 m of new native hedgerow planting. Existing vegetation will be retained and supplemented to minimise impacts. After mitigation, residual landscape effects remain Slight Adverse to Not Significant, mainly within 250 m of the site.

8.3.8. I conclude that the Landscape Assessment provides a robust assessment of the likely impacts on the landscape. There will be some short-term impacts close to the site, but I am satisfied that the mitigation measures proposed will ensure this will not be a long-term impact. Having regard to the nature of the landscape, land uses in the area, and the mitigation measures proposed, I am satisfied that the overall landscape impact of the proposed solar farm will be minimal.

Visual Impact

8.3.9. Following a review of the LCDP and my site inspection, I note that the location of the proposed development is not within or near any Areas of Outstanding Natural Beauty or Areas of High Scenic Value. (Fig. 8.15 of the LCDP) or of any protected Views or Prospects (Fig. 1.16 of the LCDP) as identified by the LCDP. I note that the location of the proposed development is not along or near any scenic route identified by the LCDP (Fig. 8.20 of the LCDP)

8.3.10. A 5km radius from the application site boundary was established as the visual assessment study area, focusing on areas where potential significant effects could occur. I consider that a 5km study area is appropriate having regard to the nature and scale of the proposed development and the characteristics of the proposed development. The main visual receptor groups are local

residents, road users and pedestrians. Residents and pedestrians will have a higher sensitivity to change than the road users. Vehicle travellers will focus primarily on traffic and not on available views, however, if looked upon, the Proposed Development will be seen in transit making the views fleeting in nature.

8.3.11. I am satisfied that the visual assessment carried out by the applicant considered that the highest visual effects will be experienced within a radius of approximately 250m of the application site boundary, from locations with open or partial views. I concur that that areas experiencing visibility have been found to be limited given the level of vegetation screening the majority of views. The magnitude is considered low to very Low to Very Low / Negligible and the significance is considered significant and slight adverse.

8.3.12. I am satisfied that views beyond approximately 500m will comprise, mainly, of the taller elements of the Proposed Development, such as fencing or mitigation planting. However, they will be seen in conjunction with the existing field structure and field pattern components. The magnitude of visual change is considered Very Low/ Negligible and Not Significant.

8.3.13. In long distance views ranging between approximately 1km – 3km, particularly from the road network to the north and east, the significance of effects will vary from Negligible to Not Significant. While the Proposed Development will add an industrial element to the view when seen, the change will be seen in the context of the wider landscape where mitigation measures will help integrate the Proposed Development into the landscape setting.

8.3.14. Ten representative viewpoints were selected based on ZTV (Zone of Theoretical Visibility) mapping and site surveys, covering a range of distances and directions. Based on my site inspection I am satisfied that the ten viewpoints chosen provides a reasonable and representational assessment of the range of available views and is consistent with best practice guidance. The Magnitude of Visual Effects from the ten visual receptors varied from Low to Very Low/Negligible, whilst the significance varied between Slight to Not Significant.

8.3.15. There are no other significant developments within the 5km of the proposed development that could lead to any cumulative visual impacts. I note the current appeal for a solar farm 4km to the south of the site. From my site inspection the proposed solar development has no visual connection to the current application site.

8.3.16. A landscape and Ecology Management Plan outlining the mitigation planting has been included with the planning application (refer to Appendix 1A). The main interventions include:

- 111m of Native Hedgerow Planting;
- 228m of Native Hedgerow Planting along the boundary south of substation;
- 1256m of Native Hedgerow Planting along the eastern boundary;
- 117m of Native Hedgerow Planting along the northern boundary of the southeastern section;

I am satisfied that from my site inspection that existing hedgerows, mature vegetation, field boundaries and localised topography, with the additional planting proposed will provide a substantial degree of screening throughout the study area.

Conclusion

8.3.17. Having regard to the submitted Landscape and Visual Impact Assessment, the Landscape and Ecological Management Plan, the provisions of the LCDP, and my site inspection, I am satisfied that the assessment provides a robust and proportionate evaluation of the likely landscape and visual effects of the proposed development.

8.3.18. The site is located within the Muirhevna Plain Landscape Character Area, which is identified as being of low landscape value, low sensitivity and local importance, and is not subject to any designated landscape, scenic or visual protections. The receiving landscape is characterised by agricultural land uses, established hedgerows and localised topography, which provide substantial screening and limit the extent of available views. I consider that the potential impacts will be localised and will reduce with distance from the proposed site. I

consider that the mitigation proposed will further assimilate the development into the surrounding landscape and will not result in visual adverse effects of the area.

8.3.19. I consider that the proposed development complies with NBG 23 and NBG 25 of the LCDP and I consider that the proposed development would not give rise to significant adverse landscape or visual effects, either individually or cumulatively, and that the proposal would not adversely affect the character, quality or visual amenity of the wider landscape. Therefore, I conclude that the proposed development is acceptable in terms of landscape character and visual impact.

8.4. Site Contours and Levelling

8.4.1. The site is located in a rural setting, covering approximately 108 hectares at an elevation of between 9-21 metres above ordinance datum (AOD). The site comprises 16 agricultural fields primarily used for arable farming and cattle grazing. Fields are bounded by mature trees, native species hedgerows and post and wire fencing. The surrounding landscape is predominately agricultural, with isolated dwellings and farms. The River Glyde runs to the South of the site contributing to the natural features of the area.

8.4.2. From my site inspection, I noted that the landscape is generally flat with some undulating areas mainly to the north, field sizes appeared to be large with hedgerows providing a sense of enclosure particularly along the field boundaries and road network.

8.4.3. I note from the details submitted with the planning application that the solar panel arrays will be mounted on steel support structures, fixed to pile-driven galvanised steel posts. The frames allow the panels to be positioned at an angle of 15–25 degrees from the horizontal, with a maximum height of up to 3.055 meters on level ground. The design takes into consideration the existing contours to minimise the need for extensive levelling or earthworks. This approach helps preserve the natural drainage patterns and reduces environmental disturbance. The site layout and spacing between rows are

optimised to ensure efficient operation while adapting to the site's natural topography.

8.4.4. Construction works and ground disturbance will only occur over approximately 4.03% of the overall site area. The remainder of the site will continue to be used for agriculture (e.g., sheep grazing) during the operational phase, with minimal ground levelling required due to the relatively flat nature of the site. Where necessary, local adjustments will be made to ensure the stability and alignment of the solar arrays and access tracks. Access tracks will be constructed from local stone and may use geosynthetic reinforcement or soil stabilisation to adapt to ground conditions without major levelling. The design aims to integrate the development into the existing landscape, using existing vegetation and minimal earthworks to reduce visual impact.

8.4.5. Having regard to my site inspection and the information submitted with the planning application, I am satisfied that the proposed development has been designed to respond appropriately to the existing site contours and topography. I consider that the proposed development respects the natural topography of the site and that with limited engineering intervention , I conclude that the proposed development would not result in significant alterations to the site contours or levels and therefore I am satisfied that the proposed development complies with Section 10.7 of the LCDP.

8.5. **Site Suitability**

8.5.1. I note that Section 10.7 of the (LCDP) states that, when assessing planning applications for solar energy developments, regard should be had, inter alia, to the suitability of the site, including a preference for brownfield lands or poorer quality agricultural lands. I note that the Planning Authority did not consider the proposed development as constituting a material contravention of the LCDP.

8.5.2. I further note that the policy framework for renewable energy development is established at European, National, Regional and Local levels (refer to Section 5 of this Report). In particular, Policy Objective IU65 of the LCDP supports the development of solar energy infrastructure within the County, including commercial-scale ground-mounted photovoltaic (PV) solar farms, subject to

appropriate environmental safeguards and the protection of natural and built heritage, biodiversity, and views and prospects.

8.5.3. My interpretation of Policy Objective IU65 demonstrates that the Development Plan anticipates the delivery of strategically important renewable energy infrastructure, provided that the stated environmental safeguards are satisfied. While the proposal does not comply with the locational preference expressed in Section 10.7 regarding the use of brownfield or poorer quality agricultural land, I consider that this provision should be read in the context of the Development Plan as a whole and alongside the broader European, National and Regional policy framework, all of which strongly support the accelerated delivery of renewable energy infrastructure.

8.5.4. I consider that the proposed development gives rise to an unidentified material contravention of the LCDP insofar as it departs from the locational preference of Section 10.7. However, having regard to the strategic importance of renewable energy generation, the clear policy support for commercial-scale solar development under Policy Objective IU65 of the LDCP, and subject to compliance with the necessary environmental safeguards and the protection of the natural and built environment, I consider that a material contravention of the LCDP is warranted in this instance. Therefore, should the Commission consider granting permission, I recommend that the provisions of 37(2)(a) of the Planning and Development Act 2000, (as amended), be invoked.

8.6. **Archaeology and Cultural Heritage**

8.6.1. I note that the PA requested an Archaeological Assessment as part of the request for further information on foot of the submission received from the Department.. A revised Archaeology and Architectural Heritage Impact Assessment (AAHIA) assessment was submitted to the PA on the 10/11/2025. A total of 125 test trenches, measuring approximately 8,717 linear metres, were excavated across the proposed site area. The trenches were designed to assess both the locations of proposed infrastructure (such as panel arrays, access tracks, and cabling routes) and the geophysical anomalies previously identified during a 2024 survey (Refer to Fig. 1 Test Trenching Mitigation Map).

This comprehensive testing programme was undertaken to determine the nature, extent, and significance of any sub-surface archaeological features that might be impacted by the proposed development.

8.6.2. The programme of testing identified eight discrete areas of archaeological potential (refer to Appendix 3 Archaeological Areas AA1–AA8) across the development site as illustrated in Figure 1. These comprised a series of isolated pits, several of which contained charcoal-rich fills indicative of charcoal production activity, and one prehistoric cremation burial within a ceramic vessel, which was block-lifted for preservation. Overall, the testing confirmed that archaeological features are limited in scale and distribution, with the most significant remains located within Field 1 at the westernmost section of the proposed development (AA7–AA8). Other trenches revealed only modern agricultural features or natural subsoil variations

8.6.3. The proposed mitigation strategy follows the statutory hierarchy approach that is: preservation in situ where feasible and preservation by record (excavation) where avoidance is not possible . Mitigation includes:

- Non-Invasive construction
    - Archaeological Areas AA1–AA4 and AA6 will use non-invasive construction techniques (ground-mounted ballasts, floating access tracks, surface-laid cabling) to avoid sub-surface disturbance.
    - Area AA5 (BESS location) requires further testing post-consent, as non-invasive methods are not feasible.
    - AA7 and AA8 (most sensitive) will undergo further targeted testing post-consent, with a detailed method statement and preservation by record if remains are found
- Monitoring and Protection
    - All archaeological areas will be clearly marked and fenced before groundworks.

- Installations in areas with archaeological remains will be archaeologically monitored under licence from the National Monuments Service.
- Ground conditions will be assessed before installing concrete ballasts, and work will occur during dry weather to prevent soil penetration

8.6.4. The AAHIA assessed potential impacts on the Derrycammagh motte and bailey (NA37) and other monuments within a 2km radius. The proposed development does not encroach upon the monument and is sited and designed to protect its setting.

8.6.5. I note the grounds of appeal relating to post consent conditions. Post consent excavation under Ministerial licence is standard practice for preservation by record and does not defer assessment but implements mitigation after assessment. I note the Departments response to the request for further information, which recommends conditions to be attached to a grant of permission for the proposed development

8.6.6. Having regard to the revised AAHIA, I am satisfied that the archaeological heritage within the site has been comprehensively identified and assessed. The proposed development has been designed to avoid or minimise impacts through preservation in situ where feasible, with preservation by record and archaeological monitoring proposed where avoidance is not possible. The use of post-consent archaeological excavation under Ministerial licence is a standard mitigation measure and does not represent a deferral of the assessment, but rather the implementation of mitigation following the completion of the assessment process. Furthermore, the Department's response to the further information request raises no objection in principle and recommends appropriate planning conditions. I consider that the proposed development is in compliance with Policy Objectives BHC 1, BHC 2: and BHC 3 of the LDCP. Therefore, in conclusion, subject to the recommended conditions, I consider that the proposed development would not result in unacceptable impacts on the archaeological or architectural heritage at this location..

8.7. **Biodiversity**

8.7.1. I note Technical Appendix 2: Ecological Appraisal submitted with the planning application to the PA dated 19/12/2024 and the updated version submitted on the 10/11/2025, together with surveys, further information, the grounds of appeal and submissions made in response to the grounds of appeal and observations received.

Methodology

8.7.2. The Ecological Appraisal defines an appropriate Zone of Influence (ZoI) having regard to the nature of the proposed development, the habitats present and the pathways through which ecological effects could arise. The assessment adopts a ZoI of 15 km, or where hydrological connectivity exists, for European sites; 5 km for nationally designated sites; 2 km for protected and priority species; and 50 m for the Fossitt habitat survey. Wintering bird surveys were undertaken between December 2022 and February 2023, with additional surveys completed during November and December 2023.

8.7.3. With respect of European sites, I have undertaken an Appropriate Assessment Screening and Appropriate Assessment of the proposed development. My assessment is set out separately in Section 9.0 and Appendices 3 and 4 of this report.

Baseline

8.7.4. Within the Zone of Influence, three proposed Natural Heritage Areas (pNHAs) were identified. The Stabannan-Braganstown pNHA (Site Code 000546), which lies partially within and immediately south of the application site, Darver Castle Woods pNHA (Site Code 001461) located approximately 2.8 km to the north, and Louth Hall and Ardee Woods pNHA (Site Code 001616) located approximately 4.2 km to the southwest. The Stabannan-Braganstown pNHA is recognised as supporting wintering bird populations, including Greylag Goose. The remaining two pNHAs comprise woodland habitats and have no direct hydrological or functional ornithological connectivity with the proposed development.

8.7.5. The ecological appraisal identified ten habitat types within the application site. Field surveys recorded evidence of badger activity within the site. Four bat species were identified during the desk study; however, none were recorded within the relevant 2 km grid square encompassing the application site. While the site contains features capable of supporting bat foraging and potential roosting opportunities. No evidence of otter or Irish hare was recorded during field surveys. Pine marten has been recorded within the wider 2 km ZoI but not within the application site. Although hedgehogs were not recorded, mammal access points through boundary features were observed. During the field surveys the following bird species were recorded: Buzzard, Rook, Wren, Pheasant, Blackbird, Robin, Woodpigeon and Yellowhammer. Of these Yellowhammer was the only red listed species recorded.

8.7.6. I note that particular attention has been highlighted in the grounds of appeal and third party observations to the adequacy of the wintering bird surveys, with specific reference to Greylag Goose,, together with Lapwing, Common Snipe, Curlew, Kingfisher and Whooper Swan. I have considered the results with particular regard to these species and the Yellowhammer red listed species.

8.7.7. The PA sought further information requiring additional wintering bird surveys to facilitate a robust assessment of the potential effects on Greylag Goose, having regard to the qualifying species of the Stabannan-Braganstown SPA. The applicant submitted the requested information on 10/11/2025.

8.7.8. The original winter bird surveys recorded:

- December 2022: Lapwing, Common Snipe, Whooper Swan and Yellowhammer.
- January 2023: Greylag Goose, Common Snipe and Yellowhammer.
- February 2023: Greylag Goose and Yellowhammer.

The additional surveys submitted to the planning authority recorded:

- February 2025: Common Snipe and Yellowhammer.
- March 2025: Yellowhammer.

- April 2025: Yellowhammer.
- May 2025: Common Snipe and Yellowhammer.
- June 2025: Common Snipe and Yellowhammer.
- July 2025: Common Snipe and Yellowhammer.
- August 2025: Yellowhammer.
- September 2025: Yellowhammer.
- October 2025: Yellowhammer.

I note that both the PA and the National Parks and Wildlife Service were satisfied that the additional survey information provided a sufficiently robust basis upon which to assess the potential effects of the proposed development, particularly in relation to Greylag Goose and the Stabannan-Braganstown SPA…

The applicant also continued the survey programme following the planning authority's decision and submitted the results as part of their response to the grounds of appeal. These surveys recorded:

- December 2025: Greylag Goose flying over the application site, together with Common Snipe and Yellowhammer.
- January 2026: Yellowhammer.
- February 2026: Common Snipe and Yellowhammer.

8.7.9. Having examined the ecological appraisal, the winter bird survey methodology, the further information submitted to the planning authority, and the supplementary surveys provided by the applicant, I am satisfied that the survey results provide a sufficiently representative baseline of the receiving environment, providing a robust and reliable evidence base for the assessment of ornithological impacts. The additional survey work undertaken following the planning authority's request, together with the continuation of monitoring during the appeal process. In my opinion supports the findings of the original assessment and confirms that the data submitted with the application was comprehensive and representative of the site's usage by wintering birds. I am

therefore satisfied that sufficient information has been provided to enable a complete and informed assessment of the likely ornithological effects of the proposed development.

8.7.10. In relation to flora, the desk study identified records of Japanese knotweed, primrose, cherry laurel, and sycamore in the wider area, but none (except sycamore) were found within the grid squares covering the actual Application Site during the survey. Sycamore was present on site, but its presence is not considered problematic because it is widely established in Ireland and commonly found in treelines and hedgerows. One poisonous native species, Lords and Ladies (Arum maculatum), was recorded on site. Overall, I am satisfied that the findings subject to mitigation, indicate no significant constraints arising from the species identified.

Potential Impacts and Proposed Mitigation

Designated Sites

8.7.11. Potential impacts on designated sites include hydrological contamination, with the risk of pollutants entering watercourses and affecting downstream habitats and species. Construction activities could disturb wintering birds and breeding bird species and the potential direct or indirect loss of suitable foraging or roosting habitat.

8.7.12. With respect of European sites, I have undertaken an Appropriate Assessment Screening and Appropriate Assessment of the proposed development. My assessment is set out separately in Section 9.0 and Appendices 3 and 4 of this report. Mitigation measures include, watercourse buffer zones, pollution prevention measures and ornithological mitigation, I consider that any potential impacts on designated sites can be adequately addressed.

8.7.13. I note that the provision of buffer zones complies with policy objective NGB 57 of the LCDP which ensures that no development, including clearing or storage of materials, takes place within a minimum distance of 10m measured from each bank of any river, stream or watercourse.

8.7.14. Subject to the implementation of the mitigation measures and the conclusions of my Appropriate Assessment set out in section 9.0 and appendices 3 and 4 of this report, I consider that the proposed development would not result in any significant adverse effects on designated sites.

Habitats

8.7.15. Potential Impact on Habitats include habitat loss, the proposed development will disturb approximately 4.05% of the total site area, removal of 440m of hedgerow. Construction activities may cause temporary disturbance to habitats especially ground nesting birds and mammals. Mitigation measures proposed include planting 1,700 of new native hedgerows, with new species-rich grassland and wildflower 5m buffer around hedgerows and 1-2m tree buffers from crown. A Biodiversity Management Plan has been prepared which includes meadow management areas to enhance foraging / nesting for birds and invertebrates and wet grassland planting in setbacks for specific bird species. I consider that the potential impacts on habitats can be adequately mitigated, which provide for additional native hedgerow, species rich habitat and opportunities for biodiversity enhancement.

Bats

8.7.16. Potential impacts include loss of foraging / commuting habitat, disturbance from lighting and loss of roosts. Proposed mitigation includes 5m buffer around hedgerows, 10m from watercourses and 2m from field drains. It is noted that only one tree is proposed to be removed as a result of the proposed development. This tree was not flagged as having bat roost potential. Any mature trees being removed will need to be surveyed for potential bat roost features. Installation of bat boxes will be provided on retained trees and new foraging habitats will be created as detailed in the Biodiversity Management Plan. I am satisfied that any potential impacts on bats can be adequately addressed, subject to the implementation of the proposed mitigation measures.

Badger

8.7.17. Potential impacts may include disturbance, accidental trapping and sett destruction. Mitigation includes pre-commencement surveys, security fencing

with mammal gates at base to allow free movement through the site as well as gates to facilitate movement of species and All excavations should be securely covered, or a suitable means of escape provided at the end of each working day. I am satisfied that any potential impacts on badgers can be adequately addressed, subject to the implementation of the proposed mitigation measures.

Otter

8.7.18. Potential impacts may include disturbance, accidental trapping and loss of foraging habitat. Mitigation includes pre-commencement surveys, security fencing with mammal gates at base to allow free movement through the site as well as gates to facilitate movement of species and All excavations should be securely covered, or a suitable means of escape provided at the end of each working day. I am satisfied that any potential impacts on otters can be adequately addressed, subject to the implementation of the proposed mitigation measures.

Birds

8.7.19. Potential Impacts include disturbance, nest destruction and habitat loss. Mitigation measures include pre-construction breeding bird survey (March–August) for any hedgerows/trees/grassland to be removed; Pre-construction ground-nesting bird check (March–August); Pre-construction wintering bird survey (November–February); Appointment of ECoW during winter construction Species-specific planting meadow management and installation of varied bird boxes. I consider that the potential impacts on breeding and wintering birds can be adequately addressed and that the proposed measures would also assist in maintaining and enhancing suitable habitat within the site

Invertebrates Herptiles

8.7.20. The majority of the identified habitat types (arable crops) within the Application Site are considered to be of very limited value to invertebrates as it is species poor. However, treelines, and woodland are all considered likely to support a more diverse invertebrate assemblage. In addition, the River Glyde and drainage ditches within the Proposed Site, which are all receiving an appropriate buffer from proposed works, are also likely to support an

assemblage of aquatic invertebrates. Mitigation measures include appropriate buffer zones from works, additional planting and installation of invertebrate hotels and herptile hibernacula. I am satisfied that any potential impacts can be adequately addressed subject to the implementation of mitigation measures.

Conclusion

8.7.21. Having regard to the Ecological Appraisal, the further information submitted to the planning authority, the supplementary surveys submitted during the appeal, the grounds of appeal, third-party observations and the responses thereto, I am satisfied that the applicant has adequately characterised the receiving ecological environment and that sufficient ecological information has been provided to enable a robust assessment of the likely effects of the proposed development.

8.7.22. I note that the principal issue raised by appellants and observers relates to the adequacy of the wintering bird surveys, particularly in relation to Greylag Goose. Having reviewed the survey methodology, survey timing, the additional survey submitted to the PA and the continued monitoring undertaken during the appeal process, I am satisfied that the surveys were undertaken in accordance with accepted ecological practice and provides a representative and reliable assessment of the site's ornithological use. The additional surveys submitted in response to the grounds of appeal support the findings of the original assessment and demonstrate that the application site supports relatively limited use by wintering birds, with Greylag Goose recorded only occasionally and principally as overflying the site.

8.7.23. I note that Curlew and Kingfisher were not recorded during the survey programme and therefore there is no evidence that the application site forms an important habitat for these species. While Lapwing, Common Snipe, Whooper Swan, Greylag Goose and the red-listed Yellowhammer were recorded, I am satisfied that the proposed mitigation measures, including ecological buffer zones, seasonal pre-construction surveys, ecological supervision, habitat retention and enhancement, species-specific planting and adaptive management, are sufficient to the level of ecological risk identified. In particular,

I consider the requirement for pre-commencement wintering bird surveys, together with the appointment of an Ecological Clerk of Works where necessary, provides an appropriate precautionary mitigation to respond to any changes in site usage prior to commencement of the proposed development.

8.7.24. I further note that the proposed development will result in a limited loss of habitat, including approximately 440 m of hedgerow. However, this will be substantially offset through the provision of approximately 1,700 m of new native hedgerow, species-rich grassland, meadow management areas, wet grassland enhancement, native tree planting, bat and bird boxes, invertebrate hotels and reptile hibernacula, all secured through the Biodiversity Management Plan. The proposed buffers to watercourses and drainage features, together with the implementation of pollution prevention measures and sustainable drainage infrastructure, will minimise risks to aquatic habitats and associated species.

8.7.25. Subject to the implementation of the mitigation measures outlined in the Ecological Appraisal, Biodiversity Management Plan and Outline Construction Environmental Management Plan, I am satisfied that the proposed development would not give rise to significant adverse effects on habitats, protected species or biodiversity.

8.7.26. Therefore, I conclude that the proposed development is acceptable from a biodiversity perspective and would not materially conflict with the biodiversity protection objectives of the LCDP or with national policy relating to the protection and enhancement of biodiversity.

8.8. Glint and Glare

Methodology

8.8.1. A Glint and Glare Assessment was submitted with the planning application to the PA on the 19/12/2024 (See Technical Appendix 7). The study area was defined as 1km radius from the site for ground-based receptors (residential dwellings, roads and rail) A 30km radius from the site for Aviation related receptors with a detailed assessment only if within specific safeguarding zones. I note that the PA requested further information, related to the submission from

TII, to extend the assessment parameters to encompass the M1 Motorway. Further Information was submitted by the applicant on the 10/11/2025 addressing the potential impact along the M1 Motorway. I am satisfied, based on the information submitted with the planning application and my site inspection that all receptors have been clearly identified.

8.8.2. The modelling used for the assessment was based on Sun position and reflection modelling. The position of the sun is calculated at one-minute intervals throughout a typical year. Using the orientation and height of the panels, the model determined if and when solar reflections could reach each receptor. The model assumes worst case (specular) reflection, even though panels are designed to absorb light. Initial modelling assumes no obstructions to receptors (bald earth scenario). Aerial and street level imagery are used to verify if vegetation, buildings or topography would screen the receptor from the solar farm. If screening is present the impact is downgraded.

8.8.3. The glint and glare assessment was undertaken over a full calendar year (2024), with the position of the sun and the potential for reflected sunlight modelled at one-minute intervals between sunrise and sunset each day. For static receptors (e.g. residential dwellings and fixed viewpoints), the significance of effects is classified based on the predicted annual and daily duration of reflections as follows:

- High::Greater than 30 hours per year or greater than 30 minutes per day.
- Medium::Between 20 and 30 hours per year or between 20 and 30 minutes per day.
- Low :Up to 20 hours per year or up to 20 minutes per day.
- None: Reflections are not geometrically possible or are fully screened.

For moving receptors (e.g. road users), the assessment is based on the potential intensity of glare:

- High: Presence of any yellow glare, indicating the potential for after-images.
- Low::Only green glare is predicted, indicating a low potential for after-images.

- None;:Reflections are not geometrically possible or are fully screened.

8.8.4. The approach is based on the methodology recommended by the US Federal Aviation Administration (FAA). I note that no specific Irish guidance existing for glint and gale assessments, therefore I am satisfied that this structured approach and methodology used in the assessment aligns with best practice.

Residential Receptors

8.8.5. A total of 48 residential receptors were identified within 1 km of the proposed solar farm. Where groups of dwellings were located in close proximity, representative dwellings at the extremities of each group were selected for detailed assessment, as the potential impacts were not expected to vary significantly between individual properties. A total of 11 residential receptors (Receptors 38–48, refer to Figure 7.1) were excluded from the assessment as they were located within areas where solar reflections were considered geometrically impossible. I consider that the selection of representative residential receptors provides an appropriate baseline for accessing potential impacts and that the exclusion of receptors where solar reflections are geometrically precluded is considered best practice.

8.8.6. Table 7.4 of Technical Appendix 7: Glint and Glare Assessment sets out the predicted glint and glare impacts on residential receptors under the Bald Earth Scenario.

- The modelling indicates that Receptors 1–4, 11, 12, 20–22, 25–31, 33 and 35 have no potential for glint or glare impacts. I am satisfied that the magnitude of impact for these receptors is assessed as None.
- Receptors 5–10, 13–15, 19, 23, 24, 32, 34 and 36 are predicted to experience potential glare effects of between 0 and 20 hours per year. I am satisfied that the magnitude of impact for these receptors is assessed as Low.
- Receptors 16, 17 and 18 are predicted to experience potential glare effects of between 20 and 30 hours per year. I am satisfied that the magnitude of impact for these receptors is assessed as Medium.

- Receptor 37 is predicted to experience potential glare effects of greater than 30 hours per year, I am satisfied that the magnitude of impact for this receptors is assessed as High. I note that Receptor 37 is the dwelling of a landowner with a financial interest in the proposed development.

8.8.7. Following a visibility assessment carried out by the applicant, which considered existing vegetation, topography and intervening buildings, the predicted impacts were revised as follows:

- Receptors 5, 6 and 7: Existing vegetation, topography and intervening buildings provide complete screening of the proposed development. I am satisfied that the assessment reduces the magnitude of impact from Low to None
- Receptors 8, 9, 32 and 34: Existing vegetation does not provide complete screening of the proposed development. I am satisfied that the assessment of magnitude remains Low.
- Receptors 10, 13, 14, 15, 16, 17, 18, 19, 24 and 36: Existing vegetation provides complete screening of the proposed development. I am satisfied that the assessment reduces the magnitude of impact to None.
- Receptor 23 Existing topography screens most views of the proposed development; however, some potential for glare remains. I am satisfied that the assessment of magnitude remains Low.
- Receptor 37: Existing vegetation and intervening buildings provide complete screening of the proposed development. I am satisfied that the assessment reduces the magnitude of impact from High to None.

8.8.8. Residential Area 1 (Receptors 22–29)

Each assessed receptor represents a number of dwellings located in close proximity, with the assessment based on the worst-case scenario. All receptors within this area were considered during the visibility assessment and were found to experience similar effects. Based on the assessment, I am satisfied that the remaining dwellings within this residential area are assessed as having a Low magnitude of impact.

8.8.9. Residential Area 2 (Receptors 30 and 31)

Each assessed receptor similarly represents multiple dwellings located in close proximity. The assessment adopted a worst-case approach, and all receptors within this area were considered during the visibility assessment. Based on the assessment, I am satisfied that the remaining dwellings within this residential area are assessed as having No glint or glare impact.

8.8.10. In conclusion, A total of 48 residential receptors were identified within 1 km of the proposed development. Of these, 11 receptors were excluded from the assessment as they were located within areas where solar reflections were geometrically impossible.

Under the initial Bald Earth Scenario, the assessment predicted:

- 1 High impact receptor;
- 3 Medium impact receptors;
- 15 Low impact receptors; and
- 19 receptors with No Impact.

Following the detailed visibility assessment, which took account of existing vegetation, topography and intervening buildings, the predicted impacts were substantially reduced. Only five receptors remain subject to a Low magnitude of impact, with all remaining receptors assessed as having no glint or glare impact.

The assessment indicates that there is a possible impact from Glint and Glare at the following receptors:

- Receptor 8 total of 7.67 hours/year
- Receptor 9 total of 5.22 hours/year
- Receptor 23 total of 7.6 hours/year
- Receptor 32 total of 6.12 hours/year
- Receptor 34 total of 3.2 hours per/year

No Mitigation is proposed as the residual impacts are consider Low or None, I am satisfied that the Glint and Glare Assessment demonstrates that the proposed

development will not give rise to significant effects on residential receptors arising from glint or glare.

8.8.11. I note that two of the third-party appeals reference the impact of Glint and Glare from their properties. One refers to receptor 34, the assessment has concluded that the glint and glare effects are minimal at 3.2 hours per year. I am satisfied with the information provided as part of the planning application and I consider that the assessment is robust and aligns with best practise. I consider that the potential impact of Glint and Glare for a total period of 3.2 hours per year is not significant and therefore, I am satisfied that the potential impact of Glint and Glare from the development proposed will not adversely affect their residential amenity.

8.8.12. I note that the second appeal that references residential amenity does not provide a specific location for their residential property. However, they state that their property is directly south of the proposed development across the River Glyde. I note that receptors 13 to 19 are directly south of the proposed development. And therefore, consider that one of these receptors relate to the appellants. I note from the visual assessment that the existing vegetation between the proposed development and these receptors is sufficient to screen all views of the proposed development where glint and glare is possible. and therefore, I am satisfied that the potential impact of Glint and Glare from the development proposed will not adversely affect their residential amenity.

8.8.13. I also note that the Grounds of Appeal from a third party question the adequacy of the Glint and Glare assessment in addressing the impacts on nearby residential properties. I am satisfied that the applicant has provided a robust glint and glare assessment that aligns with best practise concluding that no significant impacts arise from Glint and Glare on nearby residential properties.

Road / Rail Receptors

8.8.14. The assessment considered all roads within a 1km radius of the proposed solar farm. Two main roads were identified (R166 and R215) and several minor roads were identified. 21 road receptor points were considered at 200m

intervals. (Refer to Fig 7.2) Minor roads were not considered due to low vehicle speed and negligible risk. 6 road receptors were located within the no-reflection zones (areas where solar reflections are not geometrically possible). 15 road receptor points were subject to glint and glare modelling.

8.8.15. 2 receptors showed any potential for solar reflections: Receptor 2 experienced 40 minutes of green glare (low percentage of after image which means that the reflected light is not intense enough to cause temporary flash of blindness or visual significant disturbance) per year the magnitude of impact is considered low. Receptor 14 experienced 1922 minutes of green glare and 503 minutes of yellow glare (the reflected light is intense enough to cause a temporary after-image or visual disturbance, which could affect safety or comfort for the observer) per year. All other roads had no predicted impact. A visibility analysis carried out, confirmed that existing vegetation, topography and intervening buildings are sufficient to screen all views of the proposed development where glint and glare is possible, reducing the magnitude of impact to None for all road receptors

8.8.16. In relation to the M1 Motorway, further information was submitted by the applicant in response to the request by the PA to extend the assessment to encompass the M1 Motorway. 25 receptor points were placed along the M1 at 200-meter intervals, consistent with the methodology of the original assessment. Due to the distance from the proposed development and the presence of intervening vegetation, it was considered highly unlikely that glint and glare impacts would occur. substantial vegetative screening is present along the western boundary of the M1. This vegetation effectively screens the proposed development from view along the motorway. As a result of the significant vegetative screening, the assessment concludes that there is no potential for glint and glare impacts on the M1 Motorway. Therefore, the impact on the M1 is assessed as None.

8.8.17. No railway lines or rail receptors were present within the 1km study area. Therefore, no impact on train drivers or railway infrastructure is predicted.

8.8.18. I am satisfied based on the information provided by the applicant and my site inspection, that the proposed development from a glint and glare viewpoint will not significantly impact the road and rail network at this location.

Aviation Receptors

8.8.19. The assessment considered all aerodromes within a 30km radius of the proposed solar farm, as per best practice for aviation safeguarding. Four small grass field airstrips were identified within the 30km radius. Giles Quay Airfield (19km); Dowth Hill Airfield: 20km; Navan Airfield (20km) and Laydown airfield (25km). The proposed development is outside the safeguarding buffer zones for all identified airfields, therefore no detailed geometric or glare impact assessment was required for these aerodromes.

8.8.20. I am satisfied based on the information provided that the proposed solar farm development will have no impact on any aviation assets.

Conclusion:

8.8.21. Having regard to the Glint and Glare Assessment, the further information submitted, and my site inspection, I am satisfied that the assessment has been undertaken using a robust methodology consistent with recognised international best practice and that all relevant residential, road, rail and aviation receptors have been appropriately identified and assessed. While initial modelling identified the potential for glint and glare at a limited number of receptors, the inclusion of site-specific screening by existing vegetation, topography and intervening buildings reduced all but five residential receptors to no impact, with the remaining receptors experiencing only low-level effects of limited duration. No significant impacts are predicted for the road network, including the M1 Motorway, while no impacts are identified for rail or aviation receptors. I note the concerns raised in the grounds of appeal regarding residential amenity and the adequacy of the assessment; however, I am satisfied that these matters have been comprehensively addressed and that the residual glint and glare effects would not be significant. Therefore, I conclude that the proposed development would not give rise to unacceptable impacts on

residential amenity, transport infrastructure or aviation safety arising from glint and glare.

8.9. **Noise/Vibration**

8.9.1. I note that the PA requested further information relating to the Noise Assessment submitted, including the provision of actual background noise levels and a detailed assessment of both operational and construction noise, including the impact of pile-driving for solar panel installation. The applicant submitted a revised noise impact assessment on the 10/11/2025 in response to the request for further information.

8.9.2. I note that the noise assessment that as the operation hours are 24/7, only an assessment for the day and night period has been completed which is seen to be a worst-case scenario, whereby the daytime and evening have the same background noise level (L_{A90}). Table 6.3 of the Noise Assessment details that the background noise levels are recorded at:

- Daytime (07:00-19:00 hours) 35dB
- Evening (19:00-23:00 hours) 35dB
- Nighttime (23:00-07:00 hours) 25dB

I note the Noise Monitoring Location as indicated on Fig. 6.1 is along the site boundary to the wet of receptors 4 to 11. I am satisfied that the location provides a suitable location to assess a worst-case scenario for the receptors identified as the location is at the closest point from the site boundary to the nearest receptor.

8.9.3. A total of 14 noise sensitive receptors and one residential area were included in the assessment within a Study Area of 500m around the Proposed Development boundary. The identified receptors are residential dwellings. (Refer to Fig 6.1). I am satisfied that the selection of noise sensitive receptors provides an appropriate baseline for accessing potential impacts

Construction Phase Noise Impact

8.9.4. Predicted noise levels at all receptors are within acceptable thresholds except for receptor 12, which is a newly constructed house, where a temporary exceedance is predicted. Mitigation measures such as acoustic barriers are recommended, if the house becomes occupied. The assessment considers that construction noise impacts are low and temporary. I am satisfied with the conclusions of the Noise Impact Assessment, and I consider that a planning condition limiting construction activity to daytime hours in addition to any mitigation proposed for Receptor 12, that construction noise impacts will not be significant.

Construction Phase Vibrational Impacts.

8.9.5. The details submitted as part of the planning application note that due to the nature of the installation of the solar panel footings will require some piling. Such piling will be limited to the soil and subsoil layers which are soft, Any vibrational propagation will be limited to the immediate vicinity of the installation location and will swiftly attenuate. This rational is reflected in the Noise Impact Assessment by the absence of consideration of vibrational effects as such effects are not expected to occur.

Operational Phase Noise Impacts

8.9.6. The main noise source associated with the Proposed Solar Farm will be the heating, ventilation and air conditioning (HVAC) units associated with the battery units, power conversion system (PCS) units, inverters and transformers located around the site. The noise levels of the inverters and transformers will change throughout the day, reaching their peak when the solar farm is generating at its maximum power, usually when the sun is high in the sky just after noon. The Noise Impact Assessment assumed a continuous operation at peak level for both daytime and night-time hours as a worst-case scenario. The battery units are expected to be continuously charging and discharging throughout the daytime and night-time hours. If there are any rest periods for the battery storage units these are likely to be infrequent and the HVAC will still be functioning. This will likely be similar with the fans on the PCS units.

8.9.7. The assessment demonstrates that Daytime Noise Impacts is Negligible at all receptors. Therefore, no adverse impact will affect the nearby noise sensitive receptors during the daytime period, whereby the amenity areas will not be impacted.

8.9.8. The night noise assessment shows a Negligible impact at Receptor 1, Receptor 2 and Receptor 8 to 12. A Low impact at Receptor 4 to Receptor 8 and Receptor 13 and Receptor 14. With a Moderate impact at Receptor 3 due to the short distance between proposed fixed plant equipment and the residential dwelling. Typically, an open window attenuates noise by 13dB, therefore Neo Environmental predicts an internal noise level within bedrooms at Receptor 3 of 18dB which is 12dB below the recommended BS8233 criteria of 30dB during the night period within bedrooms. This provides sufficient evidence that the noise levels during the night period are seen to be acceptable, and mitigation is not required for the proposed solar farm.

Conclusion

8.9.9. I note that reference is made within the grounds of appeal, to planning permissions for residential units not yet constructed. The locations of which are within the residential areas identified on the noise assessment maps Fig 6.1. Therefore, I am satisfied that any future development within this residential area has been adequality assessed as the potential impact would be similar to the existing residential units in the residential area.

8.9.10. Having reviewed the Noise Impact Assessment, including the revised assessment submitted to the PA, I am satisfied that with the methodology employed, utilising a worst-case scenario, that both construction and operational phase impacts, subject to any mitigation required and appropriate conditions applied to a grant of planning permission, would not result in any significant impacts on localised receptors. Therefore, I considered that the proposed development would not adversely affect the residential amenities of nearby residential properties in relation to potential noise impacts.

8.10. Flood Risk, Drainage and Water Quality

8.10.1. A Flood Risk Assessment and Drainage Impact Assessment was submitted as part of the documentation to the PA on the 19/12/2024. Technical Appendix 4: Flood Risk and Drainage Impact Assessment. The flood risk assessment was carried out in accordance with "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" 2009. A site walkover survey was undertaken in order to identify hydrological, geological, flood risk and drainage features.

Baseline Data

8.10.2. The area of the Proposed Development lies at an elevation of approximately 9 – 21m AOD and covers a total area of c. 108.6 hectares. The flow routes across the Application Site vary in direction but generally flow towards the nearest watercourse or drain. Fields 1 – 6 generally slope to the north and west overall, whilst Fields 7 – 14 generally slope to the south.

8.10.3. The site is underlain by Clontail Formation which consists of Calcareous red-mica greywacke. There are no Bedrock Boreholes located within the proposed Application Site, or within close proximity. There are presently no records of geo-hazards such as landslides within or in close proximity to the Application Site. No geological heritage sites area located in the vicinity of the application site.

8.10.4. Different soil types have different capabilities for absorbing water, the efficiency of which is dependent upon their structure and infiltration capacity. The GSI interactive map has been utilised to obtain Teagasc soil data. The Application Site is underlain mostly of Till derived chiefly from Lower Palaeozoic rocks (TLPSsS), with the southeast portion of the Application Site containing Alluvium. The soil classification for the site is Class 2. This soil class has a Standard Percentage Runoff (SPR) of 0.3 and should provide good opportunity for infiltration. Infiltration testing will be conducted post consent to confirm whether infiltration drainage is suitable. This will inform the detailed drainage design which will also be undertaken post consent and can be dealt with by means of a suitably worded condition

8.10.5. The site is within Hydrometric Area 06 (Newry, Fane, Glyde, and Dee catchment), specifically the Glyde_070 river sub-basin, The Clonkeehan Stream is 0.1km north of Field 6, Field drains bound most fields, conveying surface water to local watercourses, A 10m buffer of no development is maintained around all watercourses.

8.10.6. The site lies within the Louth Groundwater Body, with poorly productive bedrock aquifer and moderate subsoil permeability. Groundwater vulnerability is mostly 'Moderate' with some 'High' areas; no groundwater wells or springs are nearby; Recharge occurs mainly via rainfall percolation, with high surface runoff due to low permeability subsoils

8.10.7. The entire site is classified as Flood Zone C (low probability of fluvial flooding, less than 0.1% annual exceedance probability); No significant historic flood events have been recorded on or near the site; one non-recurring event occurred 0.4km east in 1996; Pluvial flood risk is minor, with predicted surface water flooding depths less than 0.3m, well below the minimum panel height; No groundwater flooding risk is identified

8.10.8. The site is currently 100% undeveloped, used for arable farming and grazing. The existing greenfield runoff rates (QBar) are 0.7l/s from the solar farm area and 1.1 l/s from the Battery Storage Area. No hardstand areas are present and surface drains naturally via field drains and infiltration.

Flood Risk Assessment

8.10.9. The entire application site is located within Flood Zone C, which is defined as having a low probability of flooding (less than 0.1% annual exceedance probability).I am satisfied that CRFAM and the Strategic Flood Risk Assessment Mapping for the LCDP confirms no fluvial flood risk to the site.

8.10.10 The proposed type of development is not specifically mentioned within any of the three land use vulnerability categories outlined in The Planning System and Flood Risk Management Guidelines. Due to the solar panels being pile driven and located above ground level, I am consider that they can be classed as 'Water Compatible Development'. I also consider that the access tracks, CCTV and fencing can also be classed as 'Water Compatible Development'. I also

consider that all electrical infrastructure such as the inverters, battery storage containers, transformers, etc are classed as 'Essential Infrastructure'. All 'Water Compatible Development' infrastructure has been located within Flood Zone C. Using the matrix of vulnerability versus flood zone contained in the guidelines, I consider that the proposed development is considered appropriate. In addition, all infrastructure classed as 'Highly Vulnerable Development' is located in Flood Zone C. Again, using the matrix of vulnerability versus flood zone, I consider such development appropriate.

Drainage Impact Assessment

8.10.11 The site is currently 100% undeveloped, with grassland and arable use. The proposed development introduces 0.59% of hardstanding area to the site. The surface water runoff rate from the proposed development is calculated at 153m^3, if left unmanaged.

8.10.12 SuDs is considered the current best practice approach to managing surface water runoff. The surface water drainage strategy for the Proposed Development seeks to provide a sustainable and integrated surface water management scheme for the whole Application Site and aims to ensure no increase in downstream flood risk by managing discharges from the Proposed Development to the local water environment in a controlled manner.

8.10.13 The Drainage Design Strategy has been developed to meet the following key principles:

- Mimic existing (greenfield) drainage arrangements as far as possible;
- Avoid increases in the greenfield rate, volume and frequency of offsite discharge;
- Avoid significant deterioration in water quality of discharges and no detrimental impact in downstream water quality;
- Achieve the above criteria for all storms up to and including the 100-year event; and
- Incorporate an allowance for climate change (20%).

8.10.14 I am satisfied based on the baseline date and mitigation that post development runoff will not exceed greenfield (predevelopment) rates, even during extreme rainfall events thus preventing increased flood risk on or off site.

8.10.15 For the Solar Farm Array, It is proposed to construct multiple infiltration drains / soakaways within the Application Site. The location has been chosen on the downward slope, near to the existing watercourse which run through the Application Site. The intention is to capture any overland flow in the SuDS device, prior to releasing into the natural surface water system. The drainage design is in outline form and are indicative only at this stage and subject to detailed design. The proposed infiltration drains / soakaways will provide a total storage volume of approximately 276.8m^3. This is greater than the volume of additional runoff generated as a result of the impermeable buildings (184.0m^3). I am satisfied that such mitigation not only adequately mitigates the increase in flow rates as a result of the minor increase in impermeable area but provides improvement.

8.10.16 For the Battery Area, it is proposed that surface run-off will be collected and conveyed by an underground piped system connecting to an attenuation structure outside (likely to be a detention basin or SuDS pond) of the main BESS compound. the design volume of the attenuation device will be at least 309.0m^3 (the estimated storage calculated). The discharge point will be into the existing site field drainage system to the east of the infiltration/detention pond.

8.10.17 I note that the assessment states that it is intended to use infiltration drainage, however, should infiltration drainage not be appropriate, the drainage design will need to be altered and discharge locations agreed with a revised limiting discharge rate appropriate to the drainage design. A limiting discharge rate of 2l/s would seem appropriate; however, this will be agreed with the PA post consent when the detailed drainage design is being undertaken.

8.10.18 I am satisfied with the approach outlined above, the details provided have indicated that the soil type is suitable for the infiltration system. However, if infiltration is not appropriate, then the design strategy will need to be altered. I am satisfied that this element can be achieved by condition to agree surface

drainage arrangements with the PA. Any changes to the drainage design strategy will result in the same outcome which is to ensure that post development runoff does not exceed greenfield (predevelopment) rates, even during extreme rainfall events thus preventing increased flood risk on or off site.

8.10.19 I am satisfied that the proposed development would not result in a significant increase in flood risk or adverse impacts on local surface water drainage, subject to appropriate drainage, attenuation and watercourse mitigation measures.

Water Quality

8.10.20 The site is within Hydrometric Area 06 (Newry, Fane, Glyde, and Dee catchment), specifically the Glyde_070 river sub-basin, The Clonkeehan Stream is 0.1km north of Field 6, Field drains bound most fields, conveying surface water to local watercourses. The EPA assigned waterbody Status (2019-2024) classifies the river waterbody as Moderate and at risk. The pressures to the water body are agricultural/urban and the pathway to the waterbody is from surface water runoff.

8.10.21 The site lies within the Louth Groundwater Body, with poorly productive bedrock aquifer and moderate subsoil permeability. The EPA assigned waterbody Status (2019-2024) classifies the ground waterbody as Good and not at risk. The pathway is well drained subsoil conditions.

8.10.22 The main source of impact relating to water quality is from potential pollution entering into the waterbody. The detailed drainage strategy outlined above will ensure that surface water drainage is managed in accordance with the principles of SuDS. The applicant has provided mitigation measures to provide robust protection against pollution risk, including:

- Site Management and Training
    - All staff receive training on pollution prevention measures and emergency response protocols before starting work
    - A designated Site Manager ensures compliance with pollution prevention protocols and maintains monitoring records.

- Watercourse and Ground Water Protection
    - 10m buffer from all watercourses (no development within this zone) and 2m buffer from all field drains
    - Concrete is not allowed to enter watercourses. No concrete works within immediate vicinity of watercourses.
    - Up-gradient cut-off ditches and water diversion measures intercept and divert clean water around construction areas, reducing the risk of silt-laden or polluted water entering watercourses
    - Use of silt fences, straw bales, sand bags, and settlement lagoons to prevent silt-laden runoff from reaching watercourses.
    - Installation of filter drains, soakaways, and infiltration/detention ponds to manage and treat surface water runoff
- Storage and Handling of Fuels, Oils, and Chemicals
    - All fuels, oils, and chemicals are stored in bunded containers with 110% capacity, located more than 10m from any watercourse.
    - Refuelling and maintenance of vehicles and plant occur only in designated, impermeable areas away from drains and watercourse
    - Appropriately sized spill kits are available at all times, with clear instructions and accessible locations
- Emergency Spill Response
    - Work ceases immediately in the event of a spill; source is contained and spill kit deployed
    - Site Manager contacts the EPA and Inland Fisheries via 24-hour emergency lines; emergency numbers are displayed on site
    - Used spill kit materials are disposed of according to spill summary procedure

8.10.23 I am satisfied, with the implementation of the mitigation measures proposed that the waterbody receptors will not be adversely impacted by the proposed

development. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD, which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status and to prevent deterioration. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface, lake and/or groundwater water bodies either qualitatively or quantitatively. (Refer to Section 10 and Appendix 5 of this Report)

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

Soil Erosion

8.10.25 The key factors affecting soil erosion relate to soil permeability and vegetive cover, topography and construction methods. The lowest risk is identified on gradual slopes with cohesive soils and good vegetation cover. The highest risks are associated on dry, sandy or steeply sloping surfaces, or were bare ground is proposed. South-facing panels on the north/south slopes keep runoff diffuse, minimising erosion. East/West slopes could concentrate runoff along panel driplines, increasing local erosion risk.

8.10.26 Mitigation measures proposed include:

- Maintain or reinstate grass and vegetation between and under panels to slow runoff, reduce erosion, and enhance infiltration
- Implement a robust soil and land management plan to prevent bare ground.
- Post construction, harrow or treat soil to reverse compaction and restore infiltration.
- Soakaways and infiltration drains are sited to intercept overland flow, especially on slopes, reducing the risk of channelised erosion.

8.10.27 I am satisfied that with appropriate mitigation, the risk of soil erosion is considered low for the proposed development. The design and management approach ensures that soil permeability and vegetative cover are preserved, and that any increased runoff is effectively managed

Conclusion

8.10.28 Having regard to the location of the application site within Flood Zone C, where there is a low probability of flooding. I am satisfied that the proposed development complies with the provisions of '*Planning System and Flood Risk Management Guidelines for Planning Authorities*(2009)'. Also Having regard to the proposed drainage strategy which adopts SuDS principles to ensure that post-development runoff does not exceed existing greenfield runoff rates. I am satisfied that the Flood Risk Assessment and Drainage Impact Assessment has demonstrated, that subject to mitigation measures that the proposed development will not increase flood risk during construction, operation and decommissioning phases. I consider that the proposed development complies with the provisions of policy objectives IU19, IU 26 and IU27 of the LCDP relating to Flood Risk and Surface water Management of the LCDP. Therefore, I conclude that proposed development will not give rise to an unacceptable flood risk or adverse drainage impacts.

8.11. Traffic, Access and Transport

8.11.1. Technical Appendix 5: Construction Traffic Management Plan was submitted to the PA on the 10/11/2025 in response to the further information request. The Construction Traffic Management Plan (CTMP) outlines the overall framework for managing the movement of construction and delivery traffic to and from the proposed development, as well as considering the type of traffic it will generate. The assessment also considered traffic for the operational and decommissioning phases of the proposed development.

Site Access

8.11.2. The application site will be accessed during construction from an existing access point off the R166, whilst during operation, the site will be accessed from the local road L51774 which leads directly to the application site.

Construction Access

8.11.3. The Section of the R116 near the site access point is a single carriageway, with no pedestrian facilities and not lit by public lighting. I noted that during my site inspection that a speed limit of 80 km/h applies along this section and that due to the straight road alignment that it is likely that vehicles will travel at this speed limit

8.11.4. I note the LCDP Policy Objective MOV58 which states that in order 'To safeguard the capacity and safety of the National and Regional Road network by restricting further access onto National Primary, National Secondary, and Protected Regional Roads in accordance with the details set out in Tables 7.9 and 7.10'. Table 7.10 of the LCDP provides details and restrictions and exemptions of Protected Regional Roads. The only section of the R166 listed in table 7.10 is the R166 Drogheda to Termonfeckin (no new access or any intensification of existing access along this stretch will be permitted). The section of the R166 from which the proposed access is located is not between Drogheda to Termonfeckin, therefore I consider that access at this location is not restricted as it would be on a Protected Regional Road.

8.11.5. The minimum visibility splay requirements are set out in Table 13.13 of the LCDP. A minimum visibility splay of 125m x 4.5m is required along regional roads where a speed limit of 80km/h applies. The access point will require enabling works to meet the visibility requirements, which will require 5.8m of hedge removal and 108.5 metres of hedgerow trimming to upgrade the access, 105.5m of hedgerow realignment and the removal of 4 trees. This will provide a visibility splay of 160m x 4.5m, which is in excess of the minimum required. I am satisfied the visibility requirements at the proposed access location comply with the provisions of the LCDP.

8.11.6. It is anticipated the haul route will likely be from the M1, which is located to the east of the Application Site. Vehicles will exit the M1 at Junction 15 (Tallanstown) onto the R166 in a western direction for approximately 2.7km before taking a left turn into the site access point. I am satisfied that the swept

path analysis submitted demonstrates that the site access is suitable for construction vehicles associated with the proposed development.

8.11.7. Constriction vehicles will briefly pass over the L51774 from one field to another during the construction period, thereby avoiding the utilisation of the L51174 for construction traffic. Traffic management will be required for the duration of the construction period which will include the positioning of appropriate traffic signage as well as the use of a banksman to control construction movements at this location and to ensure safe movement of vehicles along the L5117 during construction.

8.11.8. From my site inspection I noted that the temporary construction access will now pass to the rear of a recently constructed property granted permission under PA Ref: 2460392. I note that the landowner consent to utilise the rear of the property for access is still valid as there has been no indication during the course of the application that this consent has been revoked. I am of the opinion that if consent changes over the period of use of the construction access that this is a matter between the developer and landowner, and any changes to the construction access maybe consider material and is a matter for the PA to determine if planning permission would be required for any material changes to the proposed construction access.

8.11.9. The applicants have indicated a 12-month construction period, with construction traffic estimated at 1,944 HGV deliveries (3,888(movements); peak daily HGV deliveries up to 20 (40 movements) with an estimated 20-25 staff vehicles per day. I am satisfied that the specific mitigation measures outlined in the CTMP will minimise the impact of construction traffic on the local communities and environment. Mitigation measures include:

- Limitations on working times and HGV scheduling;
- Site security and signage; and,
- Measures to control emissions of dust and other airborne contaminants

Operational and Decommissioning Phases

8.11.11 The section of the L51774 near to the site access point is single carriageway. It is approximately 2.7m wide, there are no pedestrian facilities, it is not lit by public lighting, and the road surface appears to be in average condition with vegetation located in the middle which indicates that the road does not have high densities of traffic. 9.4m of hedgerow will need to be removed to facilitate the access. No visibility splays are required as the vehicles will continue straight on into the maintenance access point. Operation Traffic will be minimal with one Light Good Vehicle every 7-10 days for maintenance. I am satisfied that the operational phase will not give rise to a significant impact on the road network.

8.11.12 At the end of the operational lifetime of the proposed solar farm, the solar array components and associated battery infrastructure will be disassembled and removed from the site. All above and below ground utilities, conduits, structures and fencing will be removed in order to facilitate the resumption of agricultural practices. Should the landowner wish, and should the local authority agree, the access tracks will remain in situ. Whilst the construction phase has a total of approximately 1,944 HGVs accessing the site, the decommissioning phase will have a total of circa 2,139 (estimate includes a 10% increase on the construction stage). I am satisfied that this increase is not considered to be significant.

Conclusion

8.11.13 I am satisfied that the proposed construction access arrangements and associated construction and operational traffic can be accommodated on the surrounding road network without giving rise to an unacceptable impact on traffic safety or the operation capacity of the regional and local road network. I consider that subject to the implementation of mitigation measures contained within the CTMP that construction and operational traffic will have minimal impact on the local road network and the users of this network.

8.12. **Battery Energy Storage System(BESS), Fire Safety and Risk Management**

8.12.1. In relation to fire risk, a Fire Safety Certificate will be obtained from the Louth Fire and Rescue Services Department prior to the commencement of

development works at the site. As part of the submission for the Fire Safety Certificate, a hazard analysis and risk assessment will be undertaken. This ensures that fire risks associated with the BESS are systematically identified and mitigated before construction commences.

8.12.2. The BESS will be remotely monitored for both performance and security, with typical maintenance operations including fire safety checks. Fire safety is listed as a specific aspect of ongoing BESS maintenance, alongside visual inspections, electrical testing, thermal management, and battery health monitoring. The site will be equipped with security fencing and CCTV, which also supports fire prevention by deterring unauthorised access and enabling rapid detection of incidents.

8.12.3. The final BESS infrastructure will incorporate industry-standard safeguards to minimise the likelihood and severity of thermal runaway, including:

- Advanced battery management systems
- Thermal monitoring
- Automatic detection, suppression, and shutdown systems
- Modular spacing to prevent fire propagation
- Use of non-combustible materials
- Ventilation and gas detection features

8.12.4. I note the grounds of appeal that reference is made to a previous planning refusal relating to a BESS development (PA Ref. 2560750), where inadequate access arrangements formed part of the basis for refusal. I note the reasons to refuse relates to the applicant not establishing that at the location where the access joins the public road, that visibility spays of 45m x 2.4m can be achieved and for this reason the proposed development would endanger public safety by reason of traffic hazard. The applicants for the current application under appeal have established all sight visibility splays in accordance with the provisions of the LCDP, Therefore the reasons to refuse are not relevant to the application under consideration.

8.12.5. Having considered the information submitted, I am satisfied that fire safety has been appropriately addressed at this stage of the planning process. The applicant has confirmed that a Fire Safety Certificate will be obtained from Louth Fire and Rescue Services prior to the commencement of development, at which stage a detailed hazard analysis and fire risk assessment will be undertaken. The detailed design of the battery energy storage system and associated fire protection measures are matters more appropriately addressed through the Fire Safety Certificate process and other relevant regulatory requirements.

8.13. **Ground Maintenance, Soil Stripping, Storage and Maintenance**

8.13.1. The Outline Construction Environment Management Plan submitted with the application provide robust mitigation measures including:

8.13.2. Ground Maintenance measures Include:

- Minimising Disturbance
    - Only about 4.05% of the total site area is disturbed for infrastructure and piling. The majority of the site remains undisturbed, preserving soil structure and existing vegetation
- Vegetation Management
    - Existing grass cover is retained or reinstated under and around solar panels to maximise bio-retention and minimise erosion. Managed sheep grazing is planned for vegetation control during operation.
- Drainage and Erosion Control
    - Sustainable Drainage Systems (SuDS) such as filter drains, soakaways, and infiltration/detention ponds are installed to manage surface water and prevent erosion. Access tracks are unpaved and constructed from local stone, with swales or filter strips to collect and infiltrate runoff
- Buffer Zones

- 2m buffer from field drains and 10m buffer from watercourses are maintained to protect sensitive areas from construction impacts.

8.13.3. Soil Stripping Measures include:

- Separate Soil
  - Topsoil and subsoil are stripped and stored separately to maintain soil quality and structure. This prevents mixing and preserves the fertility of the topsoil for later reinstatement.
- Minimising Exposed Ground
  - The amount of exposed ground and soil stockpiles is kept to a minimum. Stockpiles left for extended periods are allowed to re-vegetate naturally to prevent erosion and dust.
- Weather Conditions
  - Earthworks are avoided during unsuitable weather (e.g., when soils are waterlogged or very dry) to prevent soil compaction and erosion.

8.13.4. Soil Storage

- Location and Protection
  - All excavated soil is stored at least 20m from any watercourse or drain, outside of badger exclusion zones, and on impermeable surfaces within the site compound. Stockpiles are covered to prevent silt runoff and dust creation.
- Contaminated Soil
  - If any contaminated earth is uncovered, it is stored separately and disposed of according to the identified contaminant
- Reuse Priority
  - Approximately 11,000m³ of excavated soil is reused for backfilling cable trenches, temporary access roads, and reinstating construction compounds. Any excess is used for site regrading or, if not needed, recycled offsite at a licensed facility.

8.13.5. Restoration and Decommissioning

- Land Restoration
    - At the end of the operational phase, all infrastructure is removed, and the land is harrowed and reseeded with grass to restore it to agricultural use. Drains are either infilled or retained as needed.
- Full Removal
    - No elements of the solar installation are left on site, above or below ground. All materials are recycled, reused, or disposed of at an approved landfill.

8.13.6. Having regard to the details presented above and the mitigation measures provided that I am satisfied that the proposed development complies with Section 10.7 of the LCDP

8.14. **Fencing Security and Lighting**

8.14.1. The development includes the installation of boundary security fencing and security gates around the site perimeter. It designed to restrict unauthorised access and protect the solar farm infrastructure. Fencing is typically post-and-wire or similar, suitable for rural/agricultural settings, and is installed as one of the early construction activities. Mammal gates are incorporated into the security fencing at locations determined by pre-commencement ecological surveys. These gates allow for the free movement of wildlife (e.g., badgers and otters) through the site, maintaining existing mammal pathways and minimising ecological disruption. All excavations are securely covered or provided with escape ramps at the end of each working day to prevent accidental trapping of animals.

8.14.2. Security gates are installed at all site access points to control entry and exit, ensuring only authorised personnel and vehicles can access the site. The site is equipped with CCTV cameras as part of the security infrastructure. These cameras monitor key areasonly, including entrances, compounds, and critical infrastructure, to deter theft, vandalism, and unauthorised access. A Site Manager is responsible for overseeing security protocols, maintaining access

logs, and ensuring that all security measures are operational throughout the construction and operational phases.

8.14.3. Any lighting used (e.g., for security or operational purposes) is expected to be Directional and Low Glare; Motion Activated and Compliant with Best Practice

8.14.4. Having regard to the details presented above I am satisfied the proposed development complies with Section 10.7 of the LCDP

8.15. **Other Matters**

Duration of Permission

8.15.1. Planning permission for a ten-year period is sought, during which the development may be carried out. Having regard to the nature of the development, I consider it appropriate to specify a period of validity of this permission in excess of five years. A condition to this effect is included for the Commission's consideration.

Operational Life and Decommissioning

8.15.2. The proposed solar farm has been designed for an expected operational life of 40 years which is considered acceptable and can be extended subject to a further permission. A Site Restoration Plan accompanied the planning application and indicates that all components of the solar farm including the electrical substation will be decommissioned and removed from site. I consider decommissioning and reinstatement conditions for this application are therefore necessary.

Project Splitting

8.15.3. I do not consider that there is a requirement for consideration of the future substation development or grid connection under this appeal. Whilst these elements have been considered in terms of cumulative effects, they will be the subject of a future consent process, whereby an application may be made to the Commission under Section 182A of the Act, following the required pre-application consultation process to determine if it is SID. If it is not, an application would be made to Louth County Council.

Property Devaluation

8.15.4. I note concerns regarding property devaluation. Noting my assessment of the application, particularly with respect to landscape, visual and residential amenity impacts and subject to compliance with appropriate conditions and adherence to the various mitigation measures, including the implementation of the comprehensive landscaping proposals, I am satisfied that the proposed development would not lead to property devaluation at a level as to warrant a refusal of permission.

Validity of Application

8.15.5. Issues raised in the Grounds of appeal and supporting submission and observations relating to the validity of the planning application and noncompliance with statutory provisions. I note that the matter of validation is the role of the respective Planning Authority. Notwithstanding this, I am satisfied that there is adequate information before the Commission in order to comply with the relevant legislative provisions and discharge its statutory function as the competent authority.

9.0 AA Screening

9.1 Screening Determination (Refer to Appendix 3 of this report)

9.1.1 In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in the AA screening, I conclude that is not possible to exclude the possibility that the proposed development alone would result significant effects on European sites Stabannan-Braganstown SPA (Site Code004091*),* Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) in view of the sites conservation objectives. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in combination with other plans and projects is not required at screening stage.

9.2 Appropriate Assessment Conclusion: Integrity Test (Refer to Appendix 4 of this Report)

9.2.1 In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

9.2.2 Following an examination, analysis and evaluation of the NIS all associated material submitted with application, and taking into account submissions on nature conservation, I consider that adverse effects on site integrity of the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- A full and detailed assessment, including information presented in NIS and Environmental Reports, and supplementary information submitted by the applicant, of the proposed development including proposed mitigation measures in relation to the conservation objectives of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236)
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives for the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236)

10.0 Water Framework Directive

10.1 An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Eastern/South Eastern River Basin Management Plan 2022–2027. (Refer to appendix 5 of this report)

The receiving water environment has been identified and assessed. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design and proposed by the applicant. it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through proposed mitigation measures and the implementation of a Construction and Environment Management Plan (CEMP)

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

I recommend that planning permission should be granted, based on the reasons and considerations as set out below and subject to the attached conditions.

12.0 Reasons and Considerations

The Commission reached its decision in accordance with its duties under Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended,

and the requirement to, in so far as practicable, perform its functions in a manner consistent with inter alia the Climate Action Plan 2025 and the furtherance of the national climate objective.

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

- European legislation, including of particular relevance:
    - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
    - EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025)
    - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
    - National policy with regard to the development of alternative and indigenous energy sources and minimisation of emissions from greenhouse gases, particularly the NPF First Revision 2025 and National Policy Objective 70.
    - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
    - The Eastern and Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031;
    - Louth County Development Plan 2021-2027.(as varied)

- 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 reports of the Planning Authority and the further information received from the applicant on 10th November 2025 and submissions received in response to same.
- The grounds of appeal and submissions and observations supporting the appeal, and the applicants response to same

- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to Appropriate Assessment, environmental Impact Assessment and Water Framework Directive Assessment.

13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the planning application, as amended by the further plans and particulars received by the planning authority on the 10th November 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars. **Reason**: In the interest or clarity.

2.	The period during which the development hereby permitted may be carried out shall be 10 years from the date of this order. **Reason**: Having regard to the nature of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years.
3.	(a) The permission shall be for a period of 40 years from the date of the commissioning of the solar arrays. The solar array and related ancillary structures shall then be decommissioned and removed unless, prior to the end of the period, planning permission shall have been granted for their continuance for a further period. (b) Prior to commencement of development, a Decommissioning Statement, including a detailed restoration plan and a timescale for its implementation, providing for the removal of the solar arrays, including all foundations, anchors, concrete shoes, inverter/transformer stations, control building, CCTV cameras, fencing and site access to a specific timescale, shall be submitted to, and agreed in writing with, the planning authority. The Decommissioning Statement shall be updated, submitted to and agreed with the planning authority prior to the commencement of decommissioning. (c) On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations/anchors/concrete shoes, and all associated equipment, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with this plan and all decommissioned structures shall be removed within three months of decommissioning. **Reason**: To enable the relevant planning authority to review the operation of the solar farm in the light of the circumstances then prevailing.
4.	The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented in full. **Reason**: To protect the integrity of European Sites.

5.	All of the environmental, construction and ecological mitigation measures, as set out in the Ecological Impact Assessment (including the Biodiversity Management Plan), the Glint and Glare Assessment, Landscape and Visual Impact Assessment, the Construction Management Plan, the Outline Construction and Environmental Management Plan and the Flood Risk and Drainage Impact Assessment, the Archaeology and Architectural Heritage Impact Assessment, , that were submitted with the application and in the updated Landscape and Visual Impact Assessment, Archaeology and Architectural Heritage Impact Assessment, Ecology assessment and Ecological Appraisal, Biodiversity Management Plan, and Noise Assessment , Construction Traffic Management Plan, Landscape and Ecology Plan submitted by way of further information, and other plans and particulars submitted with the application, shall be implemented in full by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this Order. **Reason:** In the interests of clarity and of the protection of the environment during the construction and operational phases of the development.
6.	7. The applicant shall implement all mitigation measures necessary to ensure that there is no risk of glint and glare for residential and road receptors. The applicant shall also complete a post-construction Glint and Glare inspection and survey from local receptors to ensure that there is no risk of glint and glare for any motorists on any of the local public roads or residences in the surrounding area. The findings of the inspection and survey shall be submitted in the form of a report to the Planning Authority for review following Year 1, and any subsequent year if/when Glint and Glare issues arise. The applicant shall agree any remedial works including additional screening and/or planting , if required , where Glint and Glare issues arise during the life of the project. • **Reason:** In the interests of the proper and sustainable development of the area.

7.	(a) The construction of the development shall be managed in accordance with a finalised Construction and Environmental Management Plan, to include a Construction Traffic Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including: i) location of the site and materials compound(s); ii) location of areas for construction site offices and staff facilities; iii) details of site security fencing and hoardings; iv) details of on-site car parking facilities for site workers during the course of construction; v) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; vi) measures to obviate queuing of construction traffic on the adjoining road network; vii) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; viii) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; ix) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater; x) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; xi) details of on-site re-fuelling arrangements, including use of drip trays;

	xii) details of how it is proposed to manage excavated soil; xiii) means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses. xiv) the community liaison details including how the developer intends to engage with relevant parties and notify the local community in advance of the delivery of oversized loads and/or HGV deliveries. The finalised Construction and Environmental Management Plan shall also take account of the mitigation measures outlined within the NIS. A record of daily checks that the works are being undertaken in accordance with the Construction and Environmental Management Plan shall be kept for inspection by the planning authority. The finalised Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological constraints relevant to the proposed development. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and present all mitigation measures to be employed to protect the archaeological environment during all phases of site preparation, construction activity and decommissioning. **Reason**: In the interest of clarity and the protection of the environment during the construction and operational phases of the development and to ensure the protection of archaeology.
8.	Prior to the commencement of development, the developer shall submit a Soil Management Plan which collates the soil management mitigation measures contained within the Flood Risk Assessment and the Drainage Impact Assessment and includes those additional mitigation measures included in Sections 2.31 to 2.38 inclusive of the Further Information response received on 10 th November 2025. **Reason:** in the interests of clarity .
9.	Prior to the commencement of development, the developer shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as

	set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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. **Reason**: In the interest of public and residential amenity
10.	The electricity control unit, inverters, and fencing shall be dark green in colour or other dark colours, details of which shall be agreed with the planning authority, prior to commencement of development. **Reason**: In the interest of visual amenity.
11.	This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection. **Reason**: In the interest of clarity.
12.	a) Existing field boundaries, including trees and hedgerow, shall be maintained and supplemented in accordance with the details submitted, except where removal is proposed to facilitate access tracks and sightlines. b) Infill hedgerow planting shall comprise of native species. All proposed landscaping and planting shall take place in the first planting season following commencement of development and in accordance with the details proposed. The landscaping and screening shall be maintained at regular intervals. Any trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from planting shall be replaced within the next planting season by trees or hedging of

	similar size and species, unless otherwise agreed in writing with the planning authority. c) Additional screening and/or planting shall be provided so as to ensure that there is no glint impact on adjoining dwellings as a result of the development, as per the mitigation measures as set out in the Glint and Glare Assessment. Upon commissioning of the development, and for a period of two years following first operation, the developer/operator shall provide detailed glint surveys on an annual basis to the planning authority in order to confirm that no such glint impact has taken place, and shall provide such further mitigation measures, as the planning authority may specify in writing, to ensure that this is achieved. **Reason**: in the interest of the visual amenities of the area.
13.	a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission. b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road. c) Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level. d) The solar panels shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission; and e) Cables within the site shall be located underground. **Reason**: In the interest of clarity, visual and residential amenity, to allow wildlife to continue to have access to and through the site, to minimise impacts on drainage patterns and surface water quality, and in the interest of long-term viability of agricultural land.
14.	Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

	Reason: in the interest of environmental protection.
15.	a) All road surfaces, culverts, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority. b) Prior to the commencement of construction, a road condition survey shall be taken along the full extent of the construction haul route to provide a basis for future reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. c) Prior to the commencement of construction, final details of the proposed haul route for the construction phase are to be agreed in writing with the Planning, unless otherwise in agreed in writing. d) Where any of the proposed entrances to the site are widened to facilitate access/egress by HGV's adequate drainage measures must be installed. **Reason**: In order to ensure a satisfactory standard of development.
16.	a) Details of the construction and operational access arrangements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development including the nature of the surface finishes at and near the connections of site access tracks to public roads. b) Any gates shall open inwards only and shall be located a minimum of 10m from the roadside edge. Access gates at access points 1 and 2 to be a minimum of 15m from the road edge to allow a HGV to pull in if gate is not open. **Reason:** in the interest of traffic safety.
17.	a) Prior to the commencement of construction, the Applicant shall comply with the requirements of the planning authority for drainage arrangements, including the attenuation and disposal of surface water.

	Such works and services and shall otherwise comply with submitted Flood Risk and Drainage Impact Assessment. b) A Drainage Management Plan shall be developed for the construction and the operational phases of the development and include details of the proposed access routes and drains, which shall be submitted to the planning authority for approval prior to commencement of development. **Reason:** In the interests of environmental protection and flood prevention.
18.	During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15 min and 60 dB LAfmax, 15 min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest noise sensitive location. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. **Reason:** To protect the residential amenities of property in the vicinity of the site.
19.	Prior to the commencement of construction, the Applicant shall: a) Agree a programme of noise monitoring to confirm that construction works, particularly pile driving, are within specified limits. b) Agree a plan for noise monitoring test locations suitable for the variable work locations. **Reason**: In the interests of the amenities of the area and of environmental sustainability, to maintain effective control of this development and in the interest of the proper planning and sustainable development of the area.
20.	a) Access for fire brigade vehicles shall comply with the requirements of the Chief Fire Officer.

	b) Water supplies for firefighting purposes shall comply with the requirements of the Chief Fire Officer. **Reason**: In the interests of public safety.
21.	Prior to commencement of development, the developer shall satisfy the requirements of Uisce Éireann in relation to their requirements for working in the vicinity of Uisce Éireann assets. **Reason**: in the interest of protecting the public water infrastructure at this location
22.	All mitigation measures in relation to archaeology as set out in the Archaeological Assessment report (IAC Ltd; October 2025) submitted as Further Information shall be implemented in full, except as may otherwise be required in order to comply with the below conditions relating to protection of the archaeological heritage. In this regard, the developer shall retain/engage a suitably qualified Archaeologist (licensed as required under the National Monuments Act) to: a. Consult with the Planning Authority and the National Monuments Service of the Department of Housing with regard to the specifications to be utilised for construction of 'floating' access roads where required in areas of identified sub-surface archaeology (as specified in Section 4.2 of the Archaeological Assessment report); b. Advise on, supervise and monitor the construction and maintenance of non-invasive 'floating' access roads where such are required; c. Advise on, supervise and monitor the installation of above-ground, non-invasive concrete ballast solutions for solar panels and above-ground cable troughs or suspended cable solutions for cable arrays in areas where specific sub-surface archaeological remains have been identified. Such works shall be restricted to being carried out in suitable weather conditions. d. Advise on, supervise and monitor the installation of appropriate works exclusion zone/s utilising appropriate fencing (heras type or similar) at specific areas of sub-surface archaeology as set out in the Archaeological Assessment

	report (Section 4.2). No movement or storage of plant, machinery, equipment and sundries shall be permitted within the works exclusion zone/s for the duration of construction and decommissioning related activities. f. Carry out Archaeological Monitoring of all groundworks required for construction of the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. No ground disturbance shall take place in the absence of the Archaeologist without his/her express consent. g. Archaeological Monitoring shall be informed and supplemented by licensed metal detection survey. h. Should archaeological remains be identified during the course of archaeological monitoring, all works shall be suspended in the area of archaeological interest. pending a decision of the Planning Authority, in consultation with the National Monuments Service of the Department, regarding appropriate mitigation (preservation in situ/excavation). i. 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 of the Department, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the Planning Authority and the National Monuments Service of the Department 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. All site personnel shall be apprised of the locations and sensitivities of the sub-surface archaeological features identified within the development site. This shall be done through the appropriate dissemination of the CEMP and Archaeological Assessment report and through pre-commencement and regular on-site toolbox talks.

	Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest
23.	Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare 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) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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. **Reason**: In the interest of proper planning and sustainable development.
24.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. **Reason**: in order to safeguard the residential amenities of property in the vicinity.
25.	Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way."

Alan Di Lucia
Senior Planning Inspector

30th September 2026

Appendix 1

Form 1 EIA Pre-Screening

Case Reference	PL-500771-LH-26
Proposed Development Summary	Permission sought for of a Solar PV Energy Development with associated Battery Energy Storage System Compound and all associated site works with a total site area of 108..6 Ha.
Development Address	Lands c.4.87km northeast of Ardee, Derrycammagh, Bawn and Castlebellingham, Co Louth
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ ~~No, No further action required~~.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ ~~Yes, it is a Class specified in Part 1.~~	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ ~~No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.~~ **~~No Screening required.~~**	
☐ ~~Yes, the proposed development is of a Class and meets/exceeds the threshold.~~ **~~EIA is Mandatory. No Screening Required~~**	
☒ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	The development of a solar farm is not a specified class of development in Part 1 or Part 2 of Schedule 5 of the Regulations. Class 1 of Part 2 of Schedule 5, (a) Projects for the restructuring of rural land holdings, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares. The proposed development would include the removal of c 440 metres of hedgerow to aid site design site and access upgrades, which is significantly below the 4km threshold

	and does not relate to the enlargement of fields. Re-contouring is not proposed as a part of the development. It is considered that the development does come within the scope of this class on the basis that it involves the removal of field boundary hedgerows but that it is subthreshold Class 10 of Part 2 of Schedule 5: Infrastructure Projects: (dd) All private roads which would exceed 2000m in length. I note the High Court Judgement in the Cummins & Ors v ACP [2025] IEHC 521 case and the Commission's decisions in previous solar farm whereby access tracks in respect of solar developments are not considered to fall under Class 10. It is considered that schedule 5, Part 2, Class 10: Infrastructure projects (dd) is not applicable is this instance.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	**Screening Determination required (Complete Form 3)**
No ☐	

Inspector: _____ Date: _____

Appendix 2

Form 3 EIA Screening Determination

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	**PL-500771=LH-26**	
Development Summary	Permission sought for of a Solar PV Energy Development with associated Battery Energy Storage System Compound and all associated site works with a total site area of 108..6 Ha.	
	Yes / No / N/A	**Comment (if relevant)**
1.Was a Screening Determination carried out by the PA?	**Yes**	PA planning report contains assessment EIA not required
2.Has Schedule 7A information been submitted?	**Yes**	Applicants EIA Screening Report contains Schedule 7A information
3.Has an AA screening report or NIS been submitted?	**Yes**	NIS submitted which concludes that the proposed development, alone or in combination, with any other plan or project, will not adversely affect the integrity of any of the European Sites concerned
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES	**No**	

has the EPA commented on the need for an EIAR?			
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	**Yes**	• Natura Impact Statement (NIS) • Flood Risk Assessment and Drainage Impact Assessment • Archaeology and Architectural Heritage Impact Assessment • Landscape and Visual Impact Assessment • Construction Traffic Management Plan • Noise Impact Assessment • Glint and Glare Assessment • Biodiversity Management Plan • Outline Construction Environmental Management Plan	
B. EXAMINATION	**Yes/ No/ Uncertain**	**Briefly describe the nature and extent and Mitigation Measures (where relevant)** **(having regard to the probability, magnitude (including population size**	**Is this likely to result in significant effects on the environment?**

		affected), complexity, duration, frequency, intensity, and reversibility of impact) **Mitigation measures–Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.**	**Yes/ No/ Uncertain**
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	Yes	It is considered that the magnitude of hedgerow to be removed (c.440 metres) is insignificant given the remaining linear features present in the surrounding environment.	No
1.2 Willconstruction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	It is considered that the magnitude of hedgerow to be removed (c.440 metres) is insignificant given the remaining linear features present in the surrounding environment.	No

1.3 Willconstruction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	The project will use standard construction methods, materials and equipment, and the process will be managed though the implementation of a OCEMP (Outline Construction and Environmental Management Plan). The loss of natural resources (c. 440 meters of hedgerow) is not regarded as significant in nature.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Activities to remove the hedgerow will require the use of potentially harmful materials, such as fuels and other such substances to power necessary machinery. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures outlined in the submitted Outline Construction and Environmental Management Plan would satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	No

1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Construction phase waste from the removal of hedgerow is not expected to result in significant volumes of waste, what will be generated will be typical of standard construction methods proposed and are mitigated by way of standard procedures.	No
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	Risks of contamination to ground or water bodies as result of removal of hedgerow are mitigated and managed, by standard construction methodologies for projects of this nature including control of hazardous substances and buffers. I do not consider this aspect of the project would be likely to result in a significant effect on the environment.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	Noise and vibration impacts are anticipated during hedgerow removal. However, these are temporary in nature and there would be temporary, localised, and be managed through implementation of the OCEMP	No

1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	During construction any material or substance which could cause pollution, including fuels or silty water will be prevented from entering groundwater, surface water drains or watercourses by the measures set out in the CEMP. No significant operational impacts are anticipated.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	Yes	No significant risk is predicted having regard to the nature and scale of the development.	No
1.10 Will the project affect the social environment (population, employment)	Yes	No potentially significant effect identified	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	The proposal for removal of c. 440m of hedgerow is part of a wider development of a Solar farm. There are other solar farms permitted and existing in the wider area. However, these are also not a class of development for the purposes of EIA. I am satisfied that sufficient separation exists between the different proposed solar farm developments in the area, intervening	No

		topography and vegetation, such that significant cumulative impacts would not occur.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: • **European site (SAC/ SPA/pSAC/pSPA)** • **NHA/pNHA** • **Designated Nature Reserve** • **Designated refuge for flora or fauna** • **Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan**	**Yes**	The proposed development has potential to impact Strabannan-Braganstwon SPA, Dundalk Bay SAC / SPA, North West Irish Sea SPA, and Dundalk Bay Ramser Site I have considered potential impacts on European Sites in Appendix 3 and 4 and I have concluded therein that consider that adverse effects on site integrity of Natura 2000 sites can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.	No

		In conclusion, I do not consider the project will likely result in a significant effect on the environment in terms of ecological designations or biodiversity.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	**Yes**	protected or sensitive species such as badgers and yellowhammer could potentially be affected by the project. However, with the implementation of robust mitigation measures—including buffers, wildlife-friendly fencing, compensatory habitat creation, and ongoing monitoring—the risk of significant negative effects is minimised. The project is designed to not only avoid harm but to enhance biodiversity on and around the site over its operational lifetime.	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	**Yes**	Potential for landscape impacts addressed by way of mitigation by design. Exclusion of more sensitive areas by condition and by way of screening. Potential for archaeological impacts has been addressed by proposed	No

		and conditioned pre construction testing with oversight by competent authorities	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	**Yes**	The only important resource present on and around the site is high-quality agricultural land. The project is designed to minimise impacts by maintaining agricultural use (sheep grazing) during operation and fully restoring the land after decommissioning. There are no forestry, fisheries, coastal, or mineral resources that would be affected by the project. Water resources (the River Glyde) are protected through best-practice drainage and pollution prevention measures, with no significant impacts anticipated.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	**Yes**	The River Glyde adjoins the site to the South which relies on soils with good infiltration capacity. With the implementation of robust drainage, SuDS, and pollution prevention measures, the project will not significantly affect the volume or flood risk of any water resources, including surface waters or	No

		groundwaters. The site is in a low flood risk zone.. No significant adverse effects on water resources are anticipated during construction, operation, or decommissioning	
2.6 Is the location susceptible to subsidence, landslides or erosion?	**No**	There is no evidence of any risk of subsidence, landslides or erosion	No
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	**No**	There are no National Primary Roads directly on or adjacent to the site. The main access is via the R166 (a regional road), with the N52 National Secondary Road nearby. The project is not expected to cause congestion or environmental problems on these routes. Traffic effects are assessed as low and not significant, with robust management and mitigation measures in place to minimise any potential impacts	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	**No**	No such uses have been identified in the immediate area which could be affected.	No

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	**No**	Cumulative effects of hedgerow removal arising from construction and operation of the proposed solar farm with other projects / plans have been considered and discounted as the magnitude of the cumulative impact of hedgerow removal to create access to individual fields relative to the existing and future abundance of hedgerow would not give rise to cumulative impacts	**No**
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	**No**	None identified	**No**
3.3Are there any other relevant considerations?	**No**	None identified	**No**
C. CONCLUSION			
No real likelihood of significant effects on the environment.	**x**	**EIAR Not Required**	

D. MAIN REASONS AND CONSIDERATIONS

EIAR <u>not</u> Required

Having regard to:

a) The nature and scale of the proposed development, while not itself a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, includes a limited extent of field boundary removal (c440 metres), thereby coming within Class 1 (a) of Part 2 of Schedule 5 of the regulations and below the threshold set out in the class,

b) The location and design of the development, the absence of any significant environmental sensitivity in the vicinity, in a rural area, which is not designated for protection under the Louth County Development Plana 2021-2027, the nature of the existing site and the pattern of existing and permitted development in the surrounding area;

c) The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as amended;

d) 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);

e) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended, and;

f) The features and measures proposed by the applicant intended to avoid or prevent adverse effects on the environment, including measures identified in the submitted Natura Impact Statement (NIS), Flood Risk Assessment and Drainage Impact Assessment, Archaeology and Architectural Heritage Impact Assessment, Landscape and Visual Impact Assessment, Construction Traffic

Management Plan, Noise Impact Assessment, Biodiversity Management Plan and Outline Construction Environmental Management Plan

An Coimisiún considers 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 is not, therefore, required

Inspector _____ **Date _____**

Approved (DP/ADP) _____ **Date _____**

Appendix 3

AA Stage 1 Screening determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The proposed development will consist of a 10 year permission for a Solar PV Energy Development with associated Battery Energy Storage System (BESS) Compound with a total site area of c. 108.6 ha, to include solar panels mounted on steel support structures, associated cabling and ducting, inverters, transformers, switchgear substations, auxiliary transformer, permanent storage containers, monitoring houses, composting toilet, BESS customer substation, battery blocks, BESS inverters and Power Conversion System (PCS) twin skid, BESS interface cabinets (BIC), backup generator, temporary construction compounds, tracks, boundary security fencing and security gates, CCTV, landscaping and ancillary works including a sheep pen, with a 40 year operational period Third Party Appeal.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the proposed development is provided in Section 2 of the Inspectors report and comprises: • solar panels mounted on steel support structures, • associated cabling and ducting, inverters, transformers, switchgear substations, auxiliary transformer, permanent storage containers, monitoring houses, composting toilet • BESS customer substation, battery blocks, BESS inverters and Power Conversion System (PCS) twin skid, • BESS interface cabinets (BIC), backup generator, temporary construction compounds, tracks, boundary security fencing and security gates, CCTV, landscaping and ancillary works including a sheep pen, with a 40-year operational period The characterises of the location are identified as undesignated, intensively farmed agricultural lands enclosed by mature hedgerows and tree belts, dispersed residential dwellings and agricultural infrastructure. The development site is bounded by the River Glyde to the South. An indicative grid connection route located within the red line boundary of this Proposed Development has also been considered as part of the Natura Impact Assessment, in order to assess the impacts of this indicative grid route on the integrity of Natura 2000 sites.

Screening for Appropriate Assessment Test for likely significant effects	
Screening report	Yes - Appropriate Assessment Screening Report and Natura Impact Statement (NEO, November 2025).
Natura Impact Statement	Yes - Appropriate Assessment Screening Report and Natura Impact Statement (NEO, November 2025).

Additional information:
Further information was submitted to the PA relating to

- Additional Winter Bird Surveys,
- Ornithology Report
- Noise assessment
- Ecological Report

The Applicants response to the grounds of appeal provided additional Winter Bird Surveys

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests[1] Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections[2]	Consider further in screening[3] Y/N
Stabannan-Braganstown SPA (Site Code004091)	A043 Greylag Goose *(Anser anser)* https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004091.pdf	Adjacent to South	Yes Hydrological and Ornithological Connectivity	**Y**
Dundalk Bay SAC (Site Code 000455)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410]	5.7km East .	Yes Hydrological Connectivity	**Y**

Screening for Appropriate Assessment Test for likely significant effects				
	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000455.pdf			
Dundalk Bay SPA (Site Code 004026)	A005 Great Crested Grebe *(Podiceps cristatus)* A043 Greylag Goose *(Anser amser)* A046 Light-bellied Brent Goose *(Branta bernicla hrota)* A048 Shelduck *(Tadorna tadorna)* A052 Teal *(Anas crecca)* A053 Mallard *(Anas platyrhynchos)* A054 Pintail *(Anas acuta)* A065 Common Scoter *(Melanitta nigra)* A069 Red-breasted Merganser *(Mergus serrator)* A130 Oystercatcher *(Haematopus ostralegus)* A137 Ringed Plover *(Charadrius hiaticula)* A140 Golden Plover *(Pluvialis apricaria)* A141 Grey Plover *(Pluvialis squatarola)* A142 Lapwing *(Vanellus vanellus)* A143 Knot *(Calidris canutus)* A149 Dunlin *(Calidris alpina)* A156 Black-tailed Godwit *(Limosa limosa)* A157 Bar-tailed Godwit *(Limosa lapponica)* A160 Curlew *(Numenius arquata)* A162 Redshank *(Tringa Totanus)* A179 Black-headed Gull *(Chroicocephalus ridibundus)* A182 Common Gull *(Larus canus)* A184 Herring Gull *(Larus argentatus)* Wetlands https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004026.pdf	5.9km Northeast	Yes Hydrological and Ornithological Connectivity	**Y**
North-west Irish Sea SPA (Site Code 004236)	A001 Red-throated Diver *(Gavia stellata)* A003 Great Northern Diver *(Gavia immer)* A009 Fulmar *(Fulmarus glacialis)* A013 Manx Shearwater *(Puffinus puffinus)*	14.5km East	Yes Hydrological and Ornithological Connectivity	**Y**

Screening for Appropriate Assessment Test for likely significant effects				
	A017 Cormorant *(Phalacrocorax carbo)* A018 Shag *(Phalacrocorax aristotelis)* A065 Common Scoter *(Melanitta nigra)* A177 Little Gull *(Larus minutus)* A179 Black-headed Gull *(Chroicocephalus ridibundus)* A182 Common Gull *(Larus canus)* A183 Lesser Black-backed Gull *(Larus fuscus)* A184 Herring Gull *(Larus argentatus)* A187 Great Black-backed Gull *(Larus marinus)* A188 Kittiwake *(Rissa tridactyla)* A192 Roseate Tern *(Sterna dougallii)* A193 Common Tern *(Sterna hirundo)* A194 Arctic Tern *(Sterna paradisaea)* A195 Little Tern *(Sterna albifrons)* A199 Guillemot *(Uria aalge)* A200 Razorbill *(Alca torda)* A204 Puffin *(Fratercula arctica)* https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf			

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

AA Screening matrix

Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Stabannan-Braganstown SPA (Site Code004091*)* A043 Greylag Goose *(Anser anser)*	**Direct:** No direct impacts on the SPAs qualifying species expected as proposed development is not within	**Hydrological Connectivity and Water Quality**

Screening for Appropriate Assessment Test for likely significant effects		
https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004091.pdf	the SPA, no land take of habitat loss within the SPA is anticipated and no direct disturbance is planned. **Indirect:** During construction, there is a risk of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants entering these watercourses and being transported into the SPA Short-term dust deposition could alter soil pH or affect vegetation, but the NIS considers the SPA's habitats not especially sensitive to dust and any effects to be minimal and short-term Construction activities could disturb foraging geese or temporarily reduce available habitat	Water Quality Deterioration could affect wet grassland and foraging areas for Greylag Goose, reducing food availability or habitat quality Siltation or chemical contamination could degrade grassland and wetland habitats **Ornithological Connectivity** Disturbance could cause geese to avoid the area during construction, but surveys found no significant use of the site by Greylag Goose in recent years Potential minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby.
	Likelihood of significant effects from proposed development (alone): **Yes**	
	~~If No, is there likelihood of significant effects occurring in combination with other plans or projects?~~	
Dundalk Bay SAC (Site Code 000455) Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410]	**Direct:** No direct impacts are anticipated, as the proposed development is not located within or directly adjacent to the SAC **Indirect:** Potential Impact during construction there is a risk of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants entering these watercourses and being transported downstream to the SAC	**Water Quality Deterioration** Increased turbidity, chemical contamination, or nutrient loading could degrade estuarine and mudflat habitats, affecting aquatic invertebrates, fish, and plant communities **Habitat Deterioration** Siltation can smother mudflats and sandflats, reducing habitat quality for qualifying species **Other Effects** Reduced water quality can impact prey availability for birds and other fauna dependent on the SAC

Screening for Appropriate Assessment Test for likely significant effects		
https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000455.pdf		
	Likelihood of significant effects from proposed development (alone): **Yes**	
	~~If No, is there likelihood of significant effects occurring in combination with other plans or projects?~~	
Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Dundalk Bay SPA (Site Code 004026) A005 Great Crested Grebe *(Podiceps cristatus)* A043 Greylag Goose *(Anser anser)* A046 Light-bellied Brent Goose *(Branta bernicla hrota)* A048 Shelduck *(Tadorna tadorna)* A052 Teal *(Anas crecca)* A053 Mallard *(Anas platyrhynchos)* A054 Pintail *(Anas acuta)* A065 Common Scoter *(Melanitta nigra)* A069 Red-breasted Merganser *(Mergus serrator)* A130 Oystercatcher *(Haematopus ostralegus)* A137 Ringed Plover *(Charadrius hiaticula)* A140 Golden Plover *(Pluvialis apricaria)* A141 Grey Plover *(Pluvialis squatarola)* A142 Lapwing *(Vanellus vanellus)* A143 Knot *(Calidris canutus)* A149 Dunlin *(Calidris alpina)* A156 Black-tailed Godwit *(Limosa limosa)* A157 Bar-tailed Godwit *(Limosa lapponica)* A160 Curlew *(Numenius arquata)* A162 Redshank *(Tringa totanus)*	Direct: No direct impacts are anticipated, as the proposed development is not located within or directly adjacent to the SAC Indirect: During construction, there is a risk of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants entering these watercourses and being transported downstream to the SPA. Minimal impact relating to dust as the habitats of the SPA are not especially sensitive to dust, and any deposition would be short-term and negligible. No significant noise or vibration impacts are expected at this distance. Construction activities could disturb foraging birds or temporarily reduce available habitat	**Water Quality Deterioration** Increased turbidity, chemical contamination, or nutrient loading could degrade estuarine and mudflat habitats, affecting aquatic invertebrates, fish, and plant communities **Habitat Deterioration** Siltation can smother mudflats and sandflats, reducing habitat quality for qualifying species **Other Effects** Reduced water quality can impact prey availability for birds and other fauna dependent on the SAC **Ornithological Connectivity** Disturbance could cause birds to avoid the area during construction, but surveys found only occasional use of the site by SPA species. Minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby

Screening for Appropriate Assessment Test for likely significant effects		
A179 Black-headed Gull *(Chroicocephalus ridibundus)* A182 Common Gull *(Larus canus)* A184 Herring Gull *(Larus argentatus)* A999 Wetlands https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004026.pdf		
	Likelihood of significant effects from proposed development (alone): **Yes**	
	~~If No, is there likelihood of significant effects occurring in combination with other plans or projects?~~	
Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
North-west Irish Sea SPA (Site Code 004236) A001 Red-throated Diver *(Gavia stellata)* A003 Great Northern Diver *(Gavia immer)* A009 Fulmar *(Fulmarus glacialis)* A013 Manx Shearwater *(Puffinus puffinus)* A017 Cormorant *(Phalacrocorax carbo)* A018 Shag *(Phalacrocorax aristotelis)* A065 Common Scoter *(Melanitta nigra)* A862 Little Gull *(Hydrocoloeus minutus)* A179 Black-headed Gull *(Chroicocephalus ridibundus)* A182 Common Gull *(Larus canus)* A183 Lesser Black-backed Gull *(Larus fuscus)* A184 Herring Gull *(Larus argentatus)* A187 Great Black-backed Gull *(Larus marinus)* A188 Kittiwake *(Rissa tridactyla)* A192 Roseate Tern *(Sterna dougallii)* A193 Common Tern *(Sterna hirundo)*	Direct: No direct impacts are anticipated, as the proposed development is not located within or directly adjacent to the SAC Indirect: Construction activities could disturb foraging birds or temporarily reduce available habitat	**Ornithological Connectivity** Disturbance could cause birds to avoid the area during construction, but surveys found only occasional use of the site by SPA species. Most qualifying species are marine/coastal and unlikely to use the site regularly Minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby

Screening for Appropriate Assessment Test for likely significant effects		
A194 Arctic Tern *(Sterna paradisaea)* A885 Little Tern *(Sterna albifrons)* A199 Guillemot *(Uria aalge)* A200 Razorbill *(Alca torda)* A204 Puffin *(Fratercula arctica)* https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the Natura 2000 sites Stabannan-Braganstown SPA (Site Code004091*),* Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) I concur with the applicant's findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPAs when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species.		
In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in the AA screening, it is not possible to exclude the possibility that the proposed development alone would result significant effects on European sites Stabannan-Braganstown SPA (Site Code004091*),* Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) in view of the sites conservation objectives. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in combination with other plans and projects is not required at screening stage.		

Appendix 4

AA Stage 2 Appropriate Assessment

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

Taking account of the preceding screening determination, the following is an Appropriate Assessment of the implications of the proposed development in view of the relevant conservation objectives of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) based on scientific information provided by the applicant.
 	
The information relied upon includes the following:
• Appropriate Assessment Screening and Natura Impact Statement prepared by NEO, November 2025:
• Further information was submitted to the PA relating to
  • Additional Winter Bird Surveys,
  • Ornithology Report
  • Noise assessment
  • Ecological Report
 	
The Applicants response to the grounds of appeal provided additional Winter Bird Surveys
 	
I am satisfied that the information provided is adequate to allow for Appropriate Assessment.
 	
I note the NIS confirms that an indicative grid connection route located within the red line boundary of this Proposed Development has also been considered as part of the NIS.

Submissions/observations

Appropriate Assessment

Summary of planning authority reports, submission and observations can be located in Sections 3.2 and **** of the Inspectors Report.

Louth County Council
Planner Report

- Satisfied with updated NIS and concluding that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of the Natura 2000 sites.

Environment Department

- Recommends that planning permission be granted subject to appropriate conditions.

AA related issues subject to the appeal, relate mainly to inadequate information and lack of update information to make an informed decision on the potential effects the proposed development may have on Natura 2000 sites. (Issues addressed in Section ***** of the inspector's report)

Strabannan-Braganstown SPA (Site Code 004091)

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

Hydrological Connectivity and Water Quality
Water Quality Deterioration could affect wet grassland and foraging areas for Greylag Goose, reducing food availability or habitat quality
Siltation or chemical contamination could degrade grassland and wetland habitats
Ornithological Connectivity
Disturbance could cause geese to avoid the area during construction, but surveys found no significant use of the site by Greylag Goose in recent years

Potential minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby.

Qualifying Interest features likely to be affected	Conservation Objectives (CO) Targets and attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary)

Appropriate Assessment			
A043 Greylag Goose (Anser anser)	Restore the Favourable conservation condition. Relevant Attribute/Target: • Winter population trend Long term winter population trend within the SPA is stable or increasing • Winter spatial distribution Sufficient area and availability (in terms of timing and intensity of use) of suitable habitat to support the population target • Disturbance at wintering site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for population trend and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly	Water Quality and Habitat Deterioration • Construction activity could lead to inadvertent release of pollutants, • Such pollution could impact aquatic habitats • Dust generated during construction could settle on adjacent SPA habitats, Disturbance and Exclusion from Foraging Habitat • Construction noise, presence of machinery, and human activity could disturb Greylag Goose, potentially excluding them from foraging areas within or adjacent to the SPA	NIS Section 7. Provide appropriate buffer zones, Sustainable Drainage Systems (SuDS) Best Practice Pollution controls and waste management Dust suppression and air quality management Pre-commencement bird surveys, appropriate buffer zones for birds Provide Meadow management areas Utilise a phased construction method.

Appropriate Assessment			
	impact the wintering population's access to the SPA or other ecologically important sites outside the SPA • Forage spatial distribution, extent and abundance Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Roost spatial distribution and extent Sufficient number of locations, area and availability of suitable roosting habitat to support the population target • Supporting habitat: area and quality Sufficient area of utilisable habitat available in ecologically important sites outside the SPA		

Appropriate Assessment			

The above table is based on the documentation and information provided on the file for the Stabannan-Braganstown SPA. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

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

Water Quality and Habitat Deterioration

- Construction activities could result in the release of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants into the hydrological system, potentially degrading water quality in the SPA and affecting habitats used by Greylag Goose
- Dust generated during construction could settle on SPA habitats, altering soil pH, reducing air quality, and potentially affecting plant communities that support the SPA's bird populations

Disturbance and Exclusion from Foraging Habitat

- Construction noise, machinery, and human activity could disturb Greylag Goose, potentially excluding them from foraging areas within or adjacent to the SPA
- Loss or alteration of suitable foraging habitat within the development site could reduce available resources for the SPA's qualifying species

It is considered that in the absence of mitigation, here is potential for significant adverse effects on the Stabannan-Braganstown SPA, particularly relating to water quality, dust deposition, and disturbance/exclusion of Greylag Goose from foraging habitat. Section 7 of the NIS details all mitigation measures based on design principles, best practice and mitigation measures. The Outline Construction Environmental Management Plan (OCEMP) (Technical Appendix 8) details design and best practise measures for protecting the local environment. Mitigation measures include:

Integral Design Measures include:

- Buffers
  - A 10m buffer from all watercourses and a 20m buffer from the River Glyde (adjacent to the SPA) are incorporated into the site design

- No construction or material storage occurs within these buffers, reducing the risk of sediment or pollutant runoff into the SPA

- Setbacks and Habitat management
  - A 50m setback from flood areas and 20m setback from the River Glyde, with meadow management areas established to benefit wintering birds, including Greylag Goose

- Security Fencing
  - Fencing includes mammal gates to allow free movement of otter and other wildlife, minimising habitat fragmentation

Standard Best Practice Measures include:

- Pollution Prevention
  - Best practice pollution prevention measures are implemented prior to and throughout construction, including bunded storage for fuels/chemicals, designated refuelling areas, spill kits, and staff training

- Biosecurity
  - Best practice biosecurity measures are implemented to prevent the spread of invasive species

- Dust and Noise Control
  - Wheel washing, covered soil stockpiles, minimisation of dust-generating activities during windy conditions, and adherence to noise control standards (e.g., BS 5228) are enforced.

- Drainage Management
  - Sustainable Drainage Systems (SuDS) such as soakaway channels and silt traps are installed to control surface water and prevent silt or contaminants from entering watercourses
  -

- Waste Management
  - Waste is segregated, securely stored, and removed by licensed contractors
  - Temporary staff toilets use sealed containment systems

Mitigation Measures

- Pre-commencement Bird Surveys
  - Wintering bird surveys are conducted within 48 hours before construction (if works occur October–March) to check for Greylag Goose or other qualifying species

- Variable Buffer Zones for Birds
  - If Greylag Geese are present during construction
    - 0–200m: No construction or work allowed
    - 200–600m: Only small-scale work with hand tools; no heavy plant or generators
    - 600m: No restrictions
  - The buffer remains until the birds vacate. An Ecological Clerk of Works (ECoW) oversees compliance

- Meadow Management Areas
  - Meadow management areas within the 20m buffer along the River Glyde are managed to enhance foraging habitat for Greylag Goose and other wintering birds

- Phased Construction
  - Construction is phased to ensure not all suitable foraging habitat is disturbed at once, allowing birds to adapt and continue using parts of the site
- Ongoing Monitoring
  - Daily inspections of site housekeeping, watercourses, and fuel/chemical storage

Appropriate Assessment
• ECoW presence during sensitive periods to monitor bird activity and ensure mitigation effectiveness
In-combination effects Section 8 of the NIS considerers cumulative effects, relating to Plans, projects and the indicative grid connection. Plans: The National Planning Framework 2040, Regional Spatial and Economic Strategy, and Louth County Development Plan all underwent AA or NIS. Each concluded that, with mitigation, there would be no significant adverse effects on European sites, either alone or in combination with other plans or projects Projects: Several residential and industrial developments within 5 km were reviewed. All relevant projects had AA screening or NIS completed, with findings of no significant impact on Natura 2000 sites, and no potential for cumulative effects. For projects where documentation was unavailable, a statement on cumulative effects could not be made, but these were not considered significant in the overall assessment Grid Connection: The indicative grid connection route was also assessed and found not to have a significant effect on any qualifying features or the integrity of Natura 2000 sites. I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development has been assessed as part of the overall Proposed Project, and no other plans and projects could combine to generate significant effects when mitigation measures are considered. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.
Dundalk Bay SAC (Site Code 000455) **Summary of Key issues that could give rise to adverse effects (from screening stage):** **Water Quality Deterioration** Increased turbidity, chemical contamination, or nutrient loading could degrade estuarine and mudflat habitats, affecting aquatic invertebrates, fish, and plant communities **Habitat Deterioration**

Appropriate Assessment			
Siltation can smother mudflats and sandflats, reducing habitat quality for qualifying species **Other Effects** Reduced water quality can impact prey availability for birds and other fauna dependent on the SAC			
Qualifying Interest features likely to be affected	**Conservation Objectives (CO) Targets and attributes (summary-inserted)**	**Potential adverse effects**	**Mitigation measures (summary)**
(1130) Estuaries	Maintain the favourable conservation condition. Relevant Attribute/Target: • Habitat Area: The permanent habitat is stable or increasing, subject to natural processes • Community Distribution: The Subtidal fine sand community complex should be conserved in a natural condition	Water Quality Deuteriation • Reduced water quality in estuarine areas. • Toxic effects on aquatic life (fish, invertebrates, plants) that form the estuarine community. • Smothering of aquatic plants and invertebrates, reducing prey for higher trophic levels (e.g., birds). • Chemical changes (e.g., increased alkalinity from concrete wash water) toxic to aquatic organisms Habitat Deterioration • Siltation and smothering of estuarine habitats, leading to degradation of habitat quality. • Potential reduction in the extent and ecological function of the estuary,	NIS Section 7. Buffer Zones 10m from watercourses, 20m from River Glyde SuDS & Silt Control Soakaway channels, silt traps, early seeding of embankments Pollution Prevention Bunded storage, designated refuelling, spill kits, no concrete within 20m of ditches Waste/Sewage Management Sealed containment, licensed removal, secure waste storage Construction Management

Appropriate Assessment			
		impacting the structure and function of the habitat. Other: • Reduced prey availability for birds and other fauna dependent on the estuarine ecosystem	Daily inspections, phased works, staff training Emergency Response Spill response plan, EPA/Inland Fisheries notification
Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain the favourable conservation condition. Relevant Attribute/Target: • Habitat Area: The permanent habitat is stable or increasing, subject to natural processes • Community Distribution: The Muddy fine sand community and intertidal fine sand community complex should be conserved in a natural condition.	Water Quality Deuteriation • Reduced water quality in estuarine areas. • Toxic effects on aquatic life (fish, invertebrates, plants) that form the estuarine community. • Smothering of aquatic plants and invertebrates, reducing prey for higher trophic levels (e.g., birds). • Chemical changes (e.g., increased alkalinity from concrete wash water) toxic to aquatic organisms Habitat Deterioration • Siltation and smothering of estuarine habitats, leading to degradation of habitat quality.	Drainage Management Clean water diversion, vegetated discharge areas

Appropriate Assessment			
		• Potential reduction in the extent and ecological function of the estuary, impacting the structure and function of the habitat. Other: Reduced prey availability for birds and other fauna dependent on the estuarine ecosystem	
Perennial vegetation of stony banks [1220]	Maintain the favourable conservation condition. Relevant Attribute/Target: • Habitat area: Area stable, subject to natural processes, including erosion and succession • Habitat distribution No decline, subject to natural processes • Physical structure: Functionality and sediment supply Maintain the natural circulation of	As Above	As above.

Appropriate Assessment			
	sediment and organic matter, without any physical obstructions • Vegetation structure: zonation Maintain range of habitat zonations including transitional zones, subject to natural processes including erosion and succession • Vegetation composition: typical species and sub-communities Maintain the presence of species-poor communities with characteristic species: Honckenya peploides, Beta vulgaris ssp. maritima, Crithmum maritimum, Tripleurospermum maritimum, Glaucium flavum and Silene uniflora • Vegetation composition: negative indicator species Negative indicator species (including non-		

Appropriate Assessment			
	natives) to represent less than 5%cover		
Salicornia and other annuals colonising mud and sand [1310]]	Restore the Favourable conservation condition. Relevant Attribute/Target: • Habitat area Area stable or increasing, subject to natural processes, including erosion and succession. For sub-site surveyed: 35.00ha. • Habitat distribution No decline, subject to natural processes • Physical structure: sediment supply Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions sediment supply • Physical structure: creeks and pans	As above	As above.

Appropriate Assessment			
	Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession • Physical structure: flooding regime Maintain natural tidal regime • Vegetation structure: zonation Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession • Vegetation structure: vegetation height Maintain structural variation within sward • Vegetation structure: vegetation cover Maintain more than 90% of area outside creeks vegetated • Vegetation composition: typical species and sub-communities		

Appropriate Assessment			
	Maintain range of subcommunities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009) • Vegetation structure: negative indicator pecies *Spartina anglica* No significant expansion of *Spartina*. No new sites for this species and an annual spread of less than 1% where it is already known to occur		
Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]	Maintain the Favourable conservation condition. Relevant Attribute/Target: • Habitat area • Area stable or increasing, subject to natural processes, including erosion and succession. .For sub-site mapped: 0.045ha	As above	As above.

Appropriate Assessment			
	• Habitat distribution No decline, subject to natural processes • Physical structure: sediment supply Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions • Physical structure: creeks and pans Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession • Physical structure:flooding regime Maintain natural tidal regime • Vegetation structure: zonation Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession		

Appropriate Assessment			
	• Vegetation structure: vegetation height Maintain structural variation within sward • Vegetation structure: vegetation cover Maintain more than 90% of area outside creeks vegetated • Vegetation composition: typical species and sub-communities Maintain range of subcommunities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009) • Vegetation structure: negative indicator pecies *Spartina anglica* No significant expansion of *Spartina*. No new sites for this species and an annual spread of less than 1% where it is already known to occur		

Appropriate Assessment			
Mediterranean salt meadows (Juncetalia maritimi) [1410]	Maintain the Favourable conservation condition. Relevant Attribute/Target: • Habitat area • Area stable or increasing, subject to natural processes, including erosion and succession. .For sub-site mapped: 0.045ha • Habitat distribution No decline, subject to natural processes • Physical structure: sediment supply Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions • Physical structure: creeks and pans Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession	As above.	As above.

Appropriate Assessment			
	• Physical structure:flooding regime Maintain natural tidal regime • Vegetation structure: zonation Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession • Vegetation structure: vegetation height Maintain structural variation within sward • Vegetation structure: vegetation cover Maintain more than 90% of area outside creeks vegetated • Vegetation composition: typical species and sub-communities Maintain range of subcommunities with		

Appropriate Assessment			
	characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009) • Vegetation structure: negative indicator pecies *Spartina anglica* No significant expansion of *Spartina*. No new sites for this species and an annual spread of less than 1% where it is alreay known to occur		

The above table is based on the documentation and information provided on the file for the Dundalk Bay SAC. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

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

Water Quality Deterioration

- Construction activities could result in the release of silt, bentonite, hydrocarbons, cement / concrete wash water and other pollutants into the aquatic environment.
- Such pollutants can reduce water quality, cover aquatic plants, impact aquatic invertebrates and degrade habitats

Habitat Deterioration

- The qualifying habitats of the SAC, especially estuaries and mudflats, are sensitive to changes in water quality and increased sedimentation
- Pollution could indirectly affect the ecological integrity of these habitats.

Other Effects

- The SAC is already subject to pollution pressures from other activities such as agriculture and additional pollution from the development could exacerbate these pressures

Taking a precautionary approach, it is considered that in the absence of mitigation, there is potential for significant adverse effects on the water quality and habitat condition of the SAC due to the hydrological connection. Section 7 of the NIS details all mitigation measures based on design principles, best practice and mitigation measures. The Outlines Construction Environmental Management Plan (OCEMP) (Technical Appendix 8) details design and best practise measures for protecting the local environment. Mitigation Measures include:

Integral Design Measures include:

- Buffers from water courses
  - A 10m buffer is maintained from all watercourses, and a 20m buffer from the River Glyde, which is hydrologically connected to Dundalk Bay SAC
  - No works occur within these buffers, minimising risk of sediment or pollutant entry

- Sustainable Drainage Systems (SuDS)
  - Soakaway channels, infiltration trenches, and silt traps are included to control surface water and prevent silt/bentonite from entering watercourses. These are installed before main construction and maintained throughout the project

- Red Line Boundary Adjustments
  - The project boundary was reduced during design to increase the distance between works and sensitive watercourses

- No Wet Concrete Near Water Courses
  - Concrete works are prohibited within 20m of any drainage ditch to prevent cement wash water pollution

- Chemical and Fuel Storage

- All fuels, oils, and chemicals are stored in bunded containers with secondary containment (110% capacity), located more than 20m from any watercourse

- Soil and Stockpile Management
  - Excavated material is stored at least 20m from watercourses, and stockpiles are minimised and allowed to re-vegetate if left for extended periods

- Biodiversity Enhancements
  - Meadow management areas and setbacks are included to benefit wintering bird species and enhance biodiversity, indirectly supporting the SAC

- Security Fencing with Mammal Gates
  - Fencing includes mammal gates to allow free movement of otters and other wildlife, maintaining ecological connectivity

Standard Best Practice Measures include:

- Pollution Prevention
  - Best practice pollution prevention measures are implemented prior to and throughout construction, including spill kits, bunded storage, and emergency response plans

- Biosecurity
  - Best practice biosecurity measures are implemented to prevent the spread of invasive species

- Waste Management
  - Segregation and secure storage of waste, with regular removal by licensed contractors

- Noise and Vibration Control

- Machinery is switched off when not in use, and traffic movement is restricted to specified hours

- Dust Control
  - Wheel washing, covering soil stockpiles, and minimising dust-generating activities during windy condition

- Staff Training
  - All staff receive induction and toolbox talks on pollution prevention and waste management

Mitigation Measures

- Environmental Monitoring
  - The Site Manager conducts daily visual inspections of site housekeeping, watercourses, and chemical storage. Monitoring records are maintained on site

- Emergency Spill Response
  - Clear procedures for spill response, including immediate cessation of work, use of spill kits, and notification of relevant authorities

- Drainage Management
  - SuDS features are installed prior to main construction; runoff from hardstanding is directed to swales; soakaway channels are maintained throughout the project lifespan

- Early Seeding and Soil Protection
  - Early seeding of embankments and covering of soil stockpiles to reduce erosion and dust

Appropriate Assessment

In-combination effects

Section 8 of the NIS considerers cumulative effects, relating to Plans, projects and the indicative grid connection.

Plans:

The National Planning Framework 2040, Regional Spatial and Economic Strategy, and Louth County Development Plan all underwent AA or NIS. Each concluded that, with mitigation, there would be no significant adverse effects on European sites, either alone or in combination with other plans or projects

Projects:

Several residential and industrial developments within 5 km were reviewed. All relevant projects had AA screening or NIS completed, with findings of no significant impact on Natura 2000 sites, and no potential for cumulative effects. For projects where documentation was unavailable, a statement on cumulative effects could not be made, but these were not considered significant in the overall assessment

Grid Connection:

The indicative grid connection route was also assessed and found not to have a significant effect on any qualifying features or the integrity of Natura 2000 sites.

I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development has been assessed as part of the overall Proposed Project, and no other plans and projects could combine to generate significant effects when mitigation measures are considered. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures that the proposed development alone, or in combination with the overall Proposed Project and other plans and projects, will not adversely affect the integrity of the Dundalk Bay SAC.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Dundalk Bay SAC.. I am satisfied that the mitigation measures proposed to prevent identified effects have been assessed as effective and can be implemented. No significant in combination effects are predicted.

Reasonable scientific doubt

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

Site Integrity

Appropriate Assessment

The proposed development will not affect the attainment of Conservation objectives of the Dundalk Bay SAC. Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Dundalk Bay SPA (Site Code 004026)

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

Water Quality Deterioration
Increased turbidity, chemical contamination, or nutrient loading could degrade estuarine and mudflat habitats, affecting aquatic invertebrates, fish, and plant communities

Habitat Deterioration
Siltation can smother mudflats and sandflats, reducing habitat quality for qualifying species

Other Effects
Reduced water quality can impact prey availability for birds and other fauna dependent on the SAC

Ornithological Connectivity
Disturbance could cause birds to avoid the area during construction, but surveys found only occasional use of the site by SPA species.
Minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby

Qualifying Interest features likely to be affected	**Conservation Objectives (CO) Targets and attributes (summary-inserted)**	**Potential adverse effects**	**Mitigation measures (summary)**
A043 Greylag Goose *(Anser anser)*	Maintain the favourable conservation condition. Relevant Attribute/Target: • Population trend Long term population trend stable or increasing • Distribution	Water Quality and Habitat Deterioration • Construction activity could lead to inadvertent release of pollutants, • Such pollution could impact aquatic habitats	NIS Section 7. Provide appropriate buffer zones, Sustainable Drainage Systems (SuDS) Best Practice Pollution controls and waste management

Appropriate Assessment			
	No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	• Dust generated during construction could settle on adjacent SPA habitats, Disturbance and Exclusion from Foraging Habitat • Construction noise, presence of machinery, and human activity could disturb Greylag Goose, potentially excluding them from foraging areas within or adjacent to the SPA	Dust suppression and air quality management Pre-commencement bird surveys, appropriate buffer zones for birds Provide Meadow management areas Utilise a phased construction method.
A142 Lapwing *(Vanellus Vanellus))*	Maintain the favourable conservation condition. Relevant Attribute/Target: • Population trend Long term population trend stable or increasing • Distribution No significant decrease in the numbers or range of areas used by waterbird species, other than that	Water Quality and Habitat Deterioration • Construction activity could lead to inadvertent release of pollutants, • Such pollution could impact aquatic habitats • Dust generated during construction could settle on adjacent SPA habitats, Disturbance and Exclusion from Foraging Habitat	As above

Appropriate Assessment			
	occurring from natural patterns of variation	• Construction noise, presence of machinery, and human activity could disturb qualifying species, potentially excluding them from foraging areas within or adjacent to the SPA	
A179 Black-headed Gull *(Chroicocephalus ridibundus)*	Maintain the favourable conservation condition. Relevant Attribute/Target: • Population trend Long term population trend stable or increasing • Distribution No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	As above	As above
A182 Common Gull *(Larus canus)*	Maintain the favourable conservation condition. Relevant Attribute/Target: • Population trend	As Above	As above

Appropriate Assessment			
	Long term population trend stable or increasing • Distribution No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation		
A184 Herring Gull *(Larus argentatus)*	Maintain the favourable conservation condition. Relevant Attribute/Target: • Population trend Long term population trend stable or increasing • Distribution No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	As Above	As above
Other QIs		**Rational for Scoping Out**	

Appropriate Assessment		
A005 Great Crested Grebe *(Podiceps cristatus)*	**Not At Risk**	Aquatic/coastal specialist; rarely found on land; no suitable aquatic habitat on site; not observed in surveys
A046 Light-bellied Brent Goose *(Branta bernicla hrota)*	**Not at Risk**	Estuarine specialist; prefers estuarine habitats; unlikely to use arable crop habitat of the site
A048 Shelduck *(Tadorna tadorna)*	**Not at Risk**	Breeds along seashores/lakes/rivers; river habitat nearby but not observed in site surveys; not present on site
A052 Teal *(Anas crecca*	**Not at Risk**	Prefers breeding near small lakes/streams; not present on site; only observed outside site boundary; locally important, not SPA relevant (short foraging distance)
A053 Mallard *(Anas platyrhynchos)*	**Not at Risk**	Uses wetlands; observed near but not within site; presence considered locally important, not SPA-relevant (short foraging distance)
A054 Pintail *(Anas acuta)*	**Not at Risk**	Winters on brackish lagoons/estuaries/lakes; none present on or near site; not observed in surveys
A065 Common Scoter *(Melanitta nigra)*	**Not at Risk**	Marine/coastal specialist; winters almost entirely in marine habitats; no suitable habitat on site
A069 Red-breasted Merganser *(Mergus serrator)*	**Not At Risk**	Breeds on lakes/rivers, winters in brackish/marine waters; not present on site.
A130 Oystercatcher *(Haematopus*	**Not at Risk**	reeds on shingle beaches/dunes/coast; rarely uses inland grassland; not observed on site

Appropriate Assessment		
ostralegus)		
A137 Ringed Plover *(Charadrius hiaticula)*	**Not at Risk**	Nests on sandy/shingle beaches or grazed pasture near lakes; no suitable habitat on site.
A140 Golden Plover *(Pluvialis apricaria)*	**Not at Risk**	Prefers heather moors, bogs, acidic grasslands; core foraging range ~3km; site outside range and unsuitable habitat
A141 Grey Plover *(Pluvialis squatarola)*	**Not at Risk**	Exclusively coastal in winter; not found inland; no suitable habitat on site
A143 Knot *(Calidris canutus)*	**Not at Risk**	Coastal/mudflat specialist; no suitable habitat on site
A149 Dunlin *(Calidris alpina)*	**Not at Risk**	Nests on machair, winters on mudflats/estuaries; core foraging range 500m–3km, site outside range
A156 Black-tailed Godwit *(Limosa limosa)*	**Not at Risk**	Coastal/mudflat specialist; no suitable habitat on site
A157 Bar-tailed Godwit *(Limosa lapponica)*	**Not at Risl**	Coastal/mudflat specialist; no suitable habitat on site
A160 Curlew *(Numeniu arquata)*	**Not at Risk**	Nests in rough pastures/meadows/heather; core range 1–2km, site outside range and unsuitable habitat
A162 Redshank *(Tringa totanus)*	**Not at Riak**	Nests in wet, marshy areas; winters in estuaries/mudflats; no suitable habitat on site

Appropriate Assessment

The above table is based on the documentation and information provided on the file for the Dundalk Bay SPA. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

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

Water Quality and Habitat Deterioration

- Construction activities could result in the release of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants into the hydrological system, potentially degrading water quality in the SPA and affecting habitats used by Qualifying Species
- Dust generated during construction could settle on SPA habitats, altering soil pH, reducing air quality, and potentially affecting plant communities that support the SPA's bird populations

Disturbance and Exclusion from Foraging Habitat

- Construction noise, machinery, and human activity could disturb Greylag Goose, potentially excluding them from foraging areas within or adjacent to the SPA
- Loss or alteration of suitable foraging habitat within the development site could reduce available resources for the SPA's qualifying species

It is considered that in the absence of mitigation, here is potential for significant adverse effects on the Dundalk Bay SPA, particularly relating to water quality, dust deposition, and disturbance/exclusion of Greylag Goose from foraging habitat. Section 7 of the NIS details all mitigation measures based on design principles, best practice and mitigation measures. The Outlines Construction Environmental Management Plan (OCEMP) (Technical Appendix 8) details design and best practise measures for protecting the local environment. Mitigation Measures inclide Integral Design Measures include:

- Buffers
  - A 10m buffer from all watercourses and a 20m buffer from the River Glyde (adjacent to the SPA) are incorporated into the site design
  - No construction or material storage occurs within these buffers, reducing the risk of sediment or pollutant runoff into the SPA

Appropriate Assessment

- Setbacks and Habitat management
  - A 50m setback from flood areas and 20m setback from the River Glyde, with meadow management areas established to benefit wintering birds, including Greylag Goose

- Security Fencing
  - Fencing includes mammal gates to allow free movement of otter and other wildlife, minimising habitat fragmentation

Standard Best Practice Measures include:

- Pollution Prevention
  - Best practice pollution prevention measures are implemented prior to and throughout construction, including bunded storage for fuels/chemicals, designated refuelling areas, spill kits, and staff training

- Biosecurity
  - Best practice biosecurity measures are implemented to prevent the spread of invasive species

- Dust and Noise Control
  - Wheel washing, covered soil stockpiles, minimisation of dust-generating activities during windy conditions, and adherence to noise control standards (e.g., BS 5228) are enforced.

- Drainage Management
  - Sustainable Drainage Systems (SuDS) such as soakaway channels and silt traps are installed to control surface water and prevent silt or contaminants from entering watercourses
- Waste Management
  - Waste is segregated, securely stored, and removed by licensed contractors

- Temporary staff toilets use sealed containment systems

Mitigation Measures

- Pre-commencement Bird Surveys
  - Wintering bird surveys are conducted within 48 hours before construction (if works occur October–March) to check for Greylag Goose or other qualifying species

- Variable Buffer Zones for Birds
  - If Greylag Geese are present during construction
    - 0–200m: No construction or work allowed
    - 200–600m: Only small-scale work with hand tools; no heavy plant or generators
    - 600m: No restrictions
  - The buffer remains until the birds vacate. An Ecological Clerk of Works (ECoW) oversees compliance

- Meadow Management Areas
  - Meadow management areas within the 20m buffer along the River Glyde are managed to enhance foraging habitat for Greylag Goose and other wintering birds

- Phased Construction
  - Construction is phased to ensure not all suitable foraging habitat is disturbed at once, allowing birds to adapt and continue using parts of the site

- Ongoing Monitoring
  - Daily inspections of site housekeeping, watercourses, and fuel/chemical storage

- ECoW presence during sensitive periods to monitor bird activity and ensure mitigation effectiveness

In-combination effects

Section 8 of the NIS considerers cumulative effects, relating to Plans, projects and the indicative grid connection.

Plans:

The National Planning Framework 2040, Regional Spatial and Economic Strategy, and Louth County Development Plan all underwent AA or NIS. Each concluded that, with mitigation, there would be no significant adverse effects on European sites, either alone or in combination with other plans or projects

Projects:

Several residential and industrial developments within 5 km were reviewed. All relevant projects had AA screening or NIS completed, with findings of no significant impact on Natura 2000 sites, and no potential for cumulative effects. For projects where documentation was unavailable, a statement on cumulative effects could not be made, but these were not considered significant in the overall assessment

Grid Connection:

The indicative grid connection route was also assessed and found not to have a significant effect on any qualifying features or the integrity of Natura 2000 sites.

I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development has been assessed as part of the overall Proposed Project, and no other plans and projects could combine to generate significant effects when mitigation measures are considered. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures that the proposed development alone, or in combination with the overall Proposed Project and other plans and projects, will not adversely affect the integrity of the Dundalk Bay SPA.

Appropriate Assessment

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Dundalk Bay SPA.. I am satisfied that the mitigation measures proposed to prevent identified effects have been assessed as effective and can be implemented. No significant in combination effects are predicted.

Reasonable scientific doubt

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

Site Integrity

The proposed development will not affect the attainment of Conservation objectives of the Dundalk Bay SPA. Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

North West Irish Sea SPA (Site Code 004236)

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

Ornithological Connectivity

Disturbance could cause birds to avoid the area during construction, but surveys found only occasional use of the site by SPA species. Most qualifying species are marine/coastal and unlikely to use the site regularly

Minimal loss of suitable habitat due to the small construction footprint and presence of similar habitats nearby

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary)
A017 Cormorant *(Phalacrocorax carbo)*	Restore the favourable conservation condition Relevant Attribute/Target: • Breeding Population Size Long term population trend within the SPA is stable or increasing	Water Quality and Habitat Deterioration • Construction activity could lead to inadvertent release of pollutants, • Such pollution could impact aquatic habitats	NIS Section 7. Provide appropriate buffer zones, Sustainable Drainage Systems (SuDS) Best Practice Pollution controls and waste management

Appropriate Assessment			
	• Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population • Forage spatial distribution, extent, abundance and availability Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for population size and spatial distribution	• Dust generated during construction could settle on adjacent SPA habitats, Disturbance and Exclusion from Foraging Habitat • Construction noise, presence of machinery, and human activity could disturb the qualifying species, potentially excluding them from foraging areas within or adjacent to the SPA	Dust suppression and air quality management Pre-commencement bird surveys, appropriate buffer zones for birds Provide Meadow management areas Utilise a phased construction method.

Appropriate Assessment			
A179 Black-headed Gull *(Chroicocephalus ridibundus)*	Maintain the favourable conservation condition Relevant Attribute/Target: • Non-Breeding Population Size No significant decline • Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population • Forage spatial distribution, extent, abundance and availability Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for	As above	As Above

Appropriate Assessment			
	population size and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly impact the site population's access to the SPA or other ecologically important sites outside the SPA		
A182 Common Gull *(Larus canus)*	Maintain the favourable conservation condition Relevant Attribute/Target: • Non-Breeding Population Size No significant decline • Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population • Forage spatial distribution, extent, abundance and availability	As above	As Above

Appropriate Assessment			
	Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for population size and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly impact the site population's access to the SPA or other ecologically important sites outside the SPA		
A183 Lesser Black-backed Gull *(Larus fuscus)*	Maintain the favourable conservation condition Relevant Attribute/Target:	As above	As Above

Appropriate Assessment			
	• Non-Breeding Population Size No significant decline • Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population • Forage spatial distribution, extent, abundance and availability Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for		

Appropriate Assessment			
	population size and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly impact the site population's access to the SPA or other ecologically important sites outside the SPA		
A184 Herring Gull *(Larus argentatus)*	Restore the favourable conservation condition Relevant Attribute/Target: • Population Size Long term SPA population trend is stable or increasing • Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population	As above	As Above

Appropriate Assessment			
	• Forage spatial distribution, extent, abundance and availability Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for population size and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly impact the site population's access to the SPA or other ecologically important sites outside the SPA		

Appropriate Assessment			
A187 Great Black-backed Gull *(Larus marinus)*	Maintain the favourable conservation condition Relevant Attribute/Target: • Non-Breeding Population Size No significant decline • Spatial distribution Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population • Forage spatial distribution, extent, abundance and availability Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target • Disturbance across the site The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for	As above	As Above

Appropriate Assessment			
	population size and spatial distribution • Barriers to connectivity and site use The number, location, shape and area of barriers do not significantly impact the site population's access to the SPA or other ecologically important sites outside the SPA		
Other QIs		**Rational for Scoping Out**	
A001 Red-throated Diver *(Gavia stellata))*	**Not at Risk**	Marine/coastal specialist; prefers offshore and coastal waters; no suitable habitat on site; not observed in surveys	
A003 Great Northern Diver *(Gavia immer))*	**Not at Risk**	Marine/coastal specialist; winters in marine waters; no suitable habitat on site; not observed in surveys	
A009 Fulmar *(Fulmarus glacialis)*	**Not at Risk**	Pelagic seabird; breeds on cliffs, forages at sea; no suitable habitat on site	
A013 Manx Shearwater *(Puffinus puffinus)*	**Not at Risk**	Pelagic seabird; breeds on offshore islands, forages at sea; no suitable habitat on site	
A018 Shag *(Phalacrocorax aristotelis)*	**Not at Risk**	Marine/coastal specialist; breeds on rocky coasts, forages at sea; no suitable habitat on site	

Appropriate Assessment		
A065 Common Scoter *(Melanitta nigra)*	**Not at Risk**	Marine/coastal specialist; winters almost entirely in marine habitats; no suitable habitat on site
A862 Little Gull *(Hydrocoloeus minutus)*	**Not at Risk**	Marine/coastal specialist; forages at sea; no suitable habitat on site
A188 Kittiwake *(Rissa tridactyla)*	**Not at Risk**	Pelagic seabird; breeds on cliffs, forages at sea; no suitable habitat on site
A192 Roseate Tern *(Sterna dougallii*	**Not at Risk**	Breeds on offshore islands, forages at sea; no suitable habitat on site
A193 Common Tern *(Sterna hirundo)*	**Not at Risk**	Breeds on sandy beaches, forages at sea; no suitable habitat on site
A194 Arctic Tern *(Sterna paradisaea)*	**Not at Risk**	Breeds on offshore islands, forages at sea; no suitable habitat on site
A885 Little Tern *(Sterna albifrons)*	**Not at Risk**	Breeds on sandy beaches, forages at sea; no suitable habitat on site
A199 Guillemot *(Uria aalge)*	**Not at Risk**	Breeds on cliffs/islands, forages at sea; no suitable habitat on site
A200 Razorbill *(Alca torda)*	**Not at Risk**	Breeds on cliffs/islands, forages at sea; no suitable habitat on site
A204 Puffin *(Fratercula arctica*	**Not at Risk**	Breeds on offshore islands, forages at sea; no suitable habitat on site

The above table is based on the documentation and information provided on the file for the North-West Irish Sea SPA. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Appropriate Assessment

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

Water Quality and Habitat Deterioration

- Construction activities could result in the release of sediments, silt, hydrocarbons, cement/concrete wash water, or other pollutants into the hydrological system, potentially degrading water quality in the SPA and affecting habitats
- Dust generated during construction could settle on SPA habitats, altering soil pH, reducing air quality, and potentially affecting plant communities that support the SPA's bird populations

Disturbance and Exclusion from Foraging Habitat

- Construction noise, machinery, and human activity could disturb Greylag Goose, potentially excluding them from foraging areas within or adjacent to the SPA
- Loss or alteration of suitable foraging habitat within the development site could reduce available resources for the SPA's qualifying species

It is considered that in the absence of mitigation, here is potential for significant adverse effects on the North-west Irish Sea SPA, particularly relating to water quality, dust deposition, and disturbance/exclusion of Greylag Goose from foraging habitat. Section 7 of the NIS details all mitigation measures based on design principles, best practice and mitigation measures. The Outlines Construction Environmental Management Plan (OCEMP) (Technical Appendix 8) details design and best practise measures for protecting the local environment. Mitigation measures include:

Integral Design Measures include:

- Buffers
  - A 10m buffer from all watercourses and a 20m buffer from the River Glyde are incorporated into the site design
  - No construction or material storage occurs within these buffers, reducing the risk of sediment or pollutant runoff into the SPA

- Setbacks and Habitat management
  - A 50m setback from flood areas and 20m setback from the River Glyde, with meadow management areas established to benefit wintering birds, including Greylag Goose

- Security Fencing
  - Fencing includes mammal gates to allow free movement of otter and other wildlife, minimising habitat fragmentation

Standard Best Practice Measures include:

- Pollution Prevention
  - Best practice pollution prevention measures are implemented prior to and throughout construction, including bunded storage for fuels/chemicals, designated refuelling areas, spill kits, and staff training

- Biosecurity
  - Best practice biosecurity measures are implemented to prevent the spread of invasive species

- Dust and Noise Control
  - Wheel washing, covered soil stockpiles, minimisation of dust-generating activities during windy conditions, and adherence to noise control standards (e.g., BS 5228) are enforced.

- Drainage Management
  - Sustainable Drainage Systems (SuDS) such as soakaway channels and silt traps are installed to control surface water and prevent silt or contaminants from entering watercourses
- Waste Management
  - Waste is segregated, securely stored, and removed by licensed contractors
  - Temporary staff toilets use sealed containment systems

Appropriate Assessment

Mitigation Measures

- Pre-commencement Bird Surveys
  - Wintering bird surveys are conducted within 48 hours before construction (if works occur October–March) to check for qualifying species

- Variable Buffer Zones for Birds
  - The buffer remains until the birds vacate. An Ecological Clerk of Works (ECoW) oversees compliance

- Meadow Management Areas
  - Meadow management areas within the 20m buffer along the River Glyde are managed to enhance foraging habitat for Greylag Goose and other wintering birds

- Phased Construction
  - Construction is phased to ensure not all suitable foraging habitat is disturbed at once, allowing birds to adapt and continue using parts of the site

- Ongoing Monitoring
  - Daily inspections of site housekeeping, watercourses, and fuel/chemical storage
  - ECoW presence during sensitive periods to monitor bird activity and ensure mitigation effectiveness

In-combination effects

Section 8 of the NIS considerers cumulative effects, relating to Plans, projects and the indicative grid connection.

Appropriate Assessment

Plans:
The National Planning Framework 2040, Regional Spatial and Economic Strategy, and Louth County Development Plan all underwent AA or NIS. Each concluded that, with mitigation, there would be no significant adverse effects on European sites, either alone or in combination with other plans or projects
Projects:
Several residential and industrial developments within 5 km were reviewed. All relevant projects had AA screening or NIS completed, with findings of no significant impact on Natura 2000 sites, and no potential for cumulative effects. For projects where documentation was unavailable, a statement on cumulative effects could not be made, but these were not considered significant in the overall assessment
Grid Connection:
The indicative grid connection route was also assessed and found not to have a significant effect on any qualifying features or the integrity of Natura 2000 sites.
I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development has been assessed as part of the overall Proposed Project, and no other plans and projects could combine to generate significant effects when mitigation measures are considered. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions
The applicant determined that following the implementation of mitigation measures that the proposed development alone, or in combination with the overall Proposed Project and other plans and projects, will not adversely affect the integrity of the North-West Irish Sea SPA.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the North-West Irish Sea SPA.. I am satisfied that the mitigation measures proposed to prevent identified effects have been assessed as effective and can be implemented. No significant in combination effects are predicted.

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

Site Integrity

Appropriate Assessment

The proposed development will not affect the attainment of Conservation objectives of the North-West Irish Sea SPA. Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion

Appropriate Assessment Conclusion:

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted with application, and taking into account submissions on nature conservation, I consider that adverse effects on site integrity of the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- A full and detailed assessment, including information presented in NIS and Environmental Reports, and supplementary information submitted by the applicant, of the proposed development including proposed mitigation measures in relation to the conservation objectives of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236)

Appropriate Assessment
• Application of planning conditions to ensure application of these measures. • The proposed development will not affect the attainment of conservation objectives for the of Stabannan-Braganstown SPA (Site Code004091),Dundalk Bay SAC (Site Code 000455), Dundalk Bay SPA (Site Code 004026), North-west Irish Sea SPA (Site Code 004236)

Appendix 5

WFD Impact Assessment Stage 1 Screening

WFD Impact Assessment Stage 1: Screening			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	**PL-500771-LH-26**	**Townland, address**	Lands c.4.87km northeast of Ardee, Derrycammagh, Bawn and Castlebellingham, Co Louth
Description of project		The proposed development will consist of a 10 year permission for a Solar PV Energy Development with associated Battery Energy Storage System (BESS) Compound with a total site area of c. 108.6 ha, to include solar panels mounted on steel support structures, associated cabling and ducting, inverters, transformers, switchgear substations, auxiliary transformer, permanent storage containers, monitoring houses, composting toilet, BESS customer substation, battery blocks, BESS inverters and Power Conversion System (PCS) twin skid, BESS interface cabinets (BIC), backup generator, temporary construction compounds, tracks, boundary security fencing and security gates, CCTV, landscaping and ancillary works including a sheep pen, with a 40 year operational period 13.1.1	

	13.1.2 The application includes an AA Screening Report, Natura Impact Statement, an Ecological Appraisal, a Flood Risk and Drainage Impact Assessment, and an Outline Construction Environmental Management Plan. These reports contain references to matters relating to the Water Framework Directive Screening Assessment.
Brief site description, relevant to WFD Screening,	The site covers approximately covers approximately 108.6 Ha and consists of 16 agricultural fields. The River Glyde runs along the Southern boundary of the site. The land is currently used for arable farming and grazing. Fields are bounded by mature trees, hedgerows and post and wire fencing. Elevation ranges from about 9m to 21 m ADO. Fields numbers 1-6 generally slope to the north and west while fields 7-14 generally slope to the south. 13.1.3 The soil type is is mainly underlain by Till derived from Lower Palaezoic rocks with the southeast portion containing alluvium. The soil is classified as Class 2 (standard Percentage Run-oof rate of 0.3), indicating good potential for infiltration. The proposed site lies within Hydrometric Areas No. 6 Newry, Fane, Glyde and Dee (Water Framework Directive) Catchment Area and within the Glyde_070 river sub basin. The River Glyde runs adjacent to the southern boundary, and the Clonkeehan Stream is located to the north of the site. Most fields are bounded by field drains that convey surface water to local watercourses. 13.1.4 The site lies within the Louth Groundwater Body (GWB), which covers a large portion of Hydrometric Area 06. The boundaries of this GWB are defined by topographic divides (rivers and coastline) and more productive aquifers to the southwest. The underlying bedrock aquifer at the site is considered to be poorly productive according to

	the Geological Survey of Ireland (GSI). There are no groundwater wells/springs located within the vicinity of the Application Site. Diffuse recharge occurs via rainfall percolating through subsoil and rock outcrops. (GSI) 13.1.5 Due to the low permeability of some subsoil deposits (such as thicker till) and the aquifers, a high proportion of effective rainfall quickly discharges to streams rather than recharging the aquifer. Steeper slopes in the area also promote surface runoff, and the relatively high stream density reflects the higher proportion of surface runoff compared to aquifer recharge The site's groundwater vulnerability is predominantly 'Moderate', with some areas classed as 'High' Subsoil permeability is classified as 'Moderate'. The thickness of subsoil across the site is generally up to 3 meters
Proposed surface water details	In its current greenfield state, the Application Site is considered to be 100% undeveloped. As a result of the Proposed Development, the extent of hardstanding introduced will be approximately 6,408.7m2 or 0.59% of the total site area. Rainwater from solar panels and permeable surfaces will infiltrate the ground at rates similar to the pre-development state. Sustainable Drainage Systems (SuDS) are proposed, including infiltration drains, soakaways, and attenuation basins to manage runoff and mimic greenfield conditions. For the battery storage area, runoff will be collected and conveyed to an attenuation structure (detention basin or SuDS pond) before controlled discharge

	SuDS features will be vegetated to prevent soil erosion and maintained throughout the project's lifespan. Additional measures include filter strips around ancillary buildings and swales for access tracks
Proposed water supply source & available capacity	The site is a solar farm and battery energy storage facility, which does not require a significant water supply for its operation.
Proposed wastewater treatment system & available capacity, other issues	The permanent toilet for maintenance staff, tour groups, and visiting local authority members is a composting type
Others?	N/A
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body[1]	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbodies						
River Waterbody	Adjacent to South	Glyde_070 IE_NB_06G021230	Moderate (Monitoring)	At Risk	Agriculture Urban Run-Off	Surface water runoff, drainage
Groundwater Bodies						
Groundwater waterbody	Underlying site	Louth IEGBNI_NB_G_019	Good	Not at risk	No pressures	Well drained sub soil conditions

[1] https://catchments.ie/wp-content/files/catchmentassessments/12%20Slaney%20&%20Wexford%20Harbour%20Catchment%20Summary%20WFD%20Cycle%203.pdf

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)	**Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Surface	Glyde_070 IE_NB_06G021230	Waterbodies/Ditches close to and within the site/Downstream pathway	Runoff, siltation, pH (concrete), hydrocarbon spillages and leaks. Potential risk of contaminants which enter the groundwater to flow laterally	Buffer Zones 10m from watercourses, 20m from River Glyde SuDS & Silt Control Soakaway channels, silt traps, early seeding of embankments	No. During the construction phase, works will be undertaken in accordance with the mitigation	Screened out

				towards the receiving water supplies. Could lead to potential negative effects in terms of the hydrological and hydrogeological flow regime and water quality.	Pollution Prevention Bunded storage, designated refuelling, spill kits, no concrete within 20m of ditches Waste/Sewage Management Sealed containment, licensed removal, secure waste storage Construction Management Daily inspections, phased works, staff training Emergency Response Spill response plan, EPA/Inland	measures as set out in the documents referred to.	

					Fisheries notification Drainage Management Clean water diversion, vegetated discharge areas		
5	Ground	Louth IEGBNI_NB_G_019	Underlying the site.	As above	As above 13.1.6	As above	Screened out
13.1.7 OPERATIONAL PHASE							
1.	Surface	Glyde_070 13.1.8	Waterbodies/Ditches close to and within the site/Downstream pathway 13.1.9	Surface water runoff from roads and the impermeable areas may contain	13.1.10 Multiple infiltration drains and soakaways will be	No. The risks associated with the operational phase are	13.1.14 Screened out

				potentially contaminating compounds (petroleum hydrocarbons, metals, and suspended sediments) which could enter the watercourse.	constructed, especially on downward slopes near existing watercourses. These are designed to capture overland flow and allow water to infiltrate the ground, mimicking natural drainage 13.1.11 For the battery	not expected to be significant and infiltration rates will be maintained with the proposed development in place, and there will be no net increase in surface water runoff leaving the site.	

					storage area, surface runoff will be collected and conveyed by an underground piped system to an attenuation structure (detention basin or SuDS pond) before controlled discharge. A freeboard of 150 mm		

					is included for extreme storm events 13.1.12 Su DS features will be planted with vegetation to protect against soil erosion and will be maintained throughout the operational phase 13.1.13 The site owner/oper		

					ator is responsible for periodic cutting or grazing of vegetation, monitoring infiltration performanc e, removing silt/litter if infiltration is poor, and maintaining the structural integrity of infiltration trenches and		

					attenuation structures		
	Ground	Louth	13.1.15 Underlying the site.	Surface water runoff from roads and the impermeable areas may contain potentially contaminating compounds (petroleum hydrocarbons, metals, and suspended sediments) which could enter the underlying groundwater.	As above	As above	Screened out

13.1.16 DECOMMISSIONING PHASE							
1.	Surface	Glyde_070 13.1.17	Waterbodies/Ditches close to and within the site/Downstream pathway 13.1.18	Runoff, siltation, pH (concrete), hydrocarbon spillages and leaks. Potential risk of contaminants which enter the groundwater to flow laterally towards the receiving water supplies. 13.1.19 Could lead to potential negative effects in terms of the	The same Sustainable Drainage Systems (SuDS) features implemented during construction and operation—such as infiltration drains, soakaways, and attenuation basins—will remain in place and continue to function during decommissioning.	No. During the decommissioning phase, it is expected that works will be undertaken in accordance with a decommissioning plan. The solar arrays will be removed upon decommissioning of the	13.1.22 Screened out.

				hydrologic al and hydrogeolo gical flow regime and water quality. After decommis sioning, the land will be reinstated to its original agricultural use.	These features will be maintained and monitored to ensure they continue to manage runoff and prevent increased flood risk or pollution during the removal of infrastructure 13.1.20	solar farm and taken offsite for disposal at a licenced waste facility. The project can be fully reversed upon decommissi oning. 13.1.21	
4	Ground	Louth 13.1.23	Underlying site	As above	As above	As above	As above