



An
Bord
Pleanála

Record of Meeting ABP-321557-24

Case Reference / Description	Proposed Development of a Solar Farm, 110kV Substation, an Associated 110kV Grid Connection and all associated ancillary site works. Located in Drumroe East, Cappoquinn and adjacent townlands, Cappoquinn, Co. Waterford.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd / 4th Meeting	1 st Meeting		
Date	6 th February 2024	Start Time	11:00am
Location	MS Teams	End Time	11:50am

Representing An Bord Pleanála
Una Crosse (Assistant Planning Director) Chair
Paul Kelly (Senior Planning Inspector)
Ellen Moss (Executive Officer)

Representing the Prospective Applicant
Muireann Carroll (MH Planning)
Matt Williamson (MH Planning)
Charles Coyle (Amarenco)
Robert Gaffney (Amarenco)

Introduction

The Board referred to the letter received from the prospective applicant on the 20th December 2024, requesting pre-application consultations under section 182E of the Planning and Development Act 2000, as amended, and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board's representatives mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.

Presentation made by the prospective applicant:

The prospective applicant began their presentation by briefly discussing the meeting agenda. The prospective applicant provided information in relation to the prospective applicant, which is Amarenco Solar, which is an Irish-French renewable energy company that focuses on the development of Solar PV and Battery Energy Storage Systems around the world. The prospective applicant presented a slide on one of their core principles, the 'Echo Programme' which is a voluntary environmental measure aimed at regenerating and rejuvenating the land over the period of the project and which is targeted at, for e.g, ecosystem resilience and improved carbon storage.

The prospective applicant provided an overview of the project, including planning history on the site for solar farm development and grid connection, and a brief introduction to the proposed development. The proposed development would include a Solar PV farm over two sites (north and south of the N72), 110kV on-site AIS substation, and 110kV Grid Connection, with a total site area of approximately 95.3ha. The prospective applicant confirmed that an 80MW Grid Connection had been secured.

The prospective applicant provided a slide on the application process under PDA, 2000 and PDA 2024 and queried the transitional arrangements. The applicant put forward a rationale for a single application to the Board for the entire project under PDA 2000 and sought consent pathway advice. A slide on key planning issues was also provided with comments to be addressed. A slide on the schedule of deliverables was presented which included a list of documents to accompany any future application.

Discussion:

The Board began the discussion by addressing the queries raised by the prospective applicant in their presentation. The Boards representatives gave their preliminary

view that under the PDA 2000 the solar farm element of the proposed development was not a Seventh Schedule development and did not fall within the scope or definition of strategic infrastructure and therefore could not be brought forward to the Board as a S.37 or S182(A) application. On this basis, the Solar Farm element would have to be brought forward as a S.34 application to the Local Authority, therefore this element of the proposed development was not discussed further.

A discussion was held in relation to Chapter 4 of the Planning and Development Act 2024. The Boards representatives confirmed that there is no clear information available at this time in relation to the commencement of Chapter 4, and further confirmed that there is currently no transitional arrangements between a S.182E opinion (under PDA 2000) and the commencement of Chapter 4 of PDA 2024. In respect of Chapter 4 of PDA 2024, the Boards representatives reminded the prospective applicant that Section 115(2) provided that once one element of a proposed development was a Chapter 4 development, then the entire application could be brought to the Commission as a Chapter 4 application. Therefore, if the prospective applicant wished to make a single application for consent, they could await the commencement of Chapter 4 but that there was no such provision under the existing legislation.

The Boards representatives gave their preliminary opinion that the proposed 110kV substation and grid connection elements of the proposed development falls within the scope of strategic infrastructure, but reminded the prospective applicant that the final decision lies with the Board. In these circumstances a S.182A application should be made to the Board for the Substation and Grid Connection, with a S.34 application to the Local Authority for the Solar Farm. It was confirmed that if the prospective applicant proceeded with a S.182A application under the PDA 2000 and Chapter 4 of PDA 2024 was subsequently commenced before it was determined, the provisions of S.182A would continue to apply.

The Boards representatives noted the clarification provided in the presentation in terms of the two grid connection routes that are currently under consideration, and

that the route option to the South going to the 110kV Woodhouse Substation is now not under consideration.

The Boards representatives noted from the planning history that concerns were previously raised by statutory and local authority roads responses regarding the N72 national primary road and the proposed grid connection route in relation to the narrow single-carriageway condition of the road, with heavy traffic and intermittent hard shoulders, and in relation to safeguarding investment. The Boards representatives advised that adequate technical clarity in relation to the proposed construction of the grid connection in the verge should be provided addressing these issues.

The Boards representatives reminded the prospective applicant that the previous development availed of an existing farm/agricultural entrance, which was upgraded and modified. It was noted from the documentation submitted that a new site entrance onto the N72 is being proposed for construction and operational stages of the development. In this regard the applicant was directed to the policy provisions of the statutory development plan and Section 28 Guidance regarding new entrances onto national roads and advised to robustly address the policy position in any planning application.

It was noted that a solar farm is not a class for the purposes of the EIA Directive. The Boards representatives advised that the prospective applicant may wish to provide an EIA Screening Report including Schedule 7A Information and to consider the solar farm with the cumulative impact assessment having regard to the Treascon judgement. The Boards representatives noted from the planning history that a previous 38kV grid connection did require a stage 2 Appropriate Assessment and an NIS as a result of hydrological connections to two European Sites. The Boards representatives advised the prospective applicant that they may wish to provide an Ecological Impact Assessment and that they should consider whether an NIS is required on the basis of the conclusions of their AA screening exercise.

The Boards representatives advised the prospective applicant that documentation being submitted, for example, the construction traffic management plan traffic and transport assessment, road safety audit, should be robust and should include expected timeframes for the proposed works.

The Boards representatives queried whether the prospective applicant would be applying for one grid connection; the prospective applicant advised that the intention is to apply for one option; however, the route is still uncertain. The Boards representatives reminded the prospective applicant of the provisions of design flexibility under Section 182F of the Act and reminded the prospective applicant that they could seek design flexibility in relation to two grid connection routes, but that they would need to request such provisions during the live pre-application consultation process. Whilst two routes can be presented at pre-application stage as being under consideration, only one route can be applied for if design flexibility is not sought.

The Board's representatives noted that the prospective applicant had raised a query in relation to the scale of the drawings and advised that the Board would accept plans and particulars at appropriate scales subject to the detail within same being legible.

It was noted that there are a number of permitted and proposed wind farms within a 5 to 12 km proximity of the proposed site which should be considered in any consideration of cumulative impact.

The Boards representatives confirmed that it was for the prospective applicant to satisfy itself, whether 38kv infrastructure inter-connecting the two solar farm sites was or was not development and was or was not exempted development.

Conclusion:

The Board's representatives advised that the onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process. The Board's representatives advised that the record of the instant meeting will be issued in the meantime and that the prospective applicant can

submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting.

The Meeting concluded at 11:50.

A handwritten signature in blue ink, appearing to read 'Una Crosse', is written over a horizontal line.

Una Crosse

Assistant Director of Planning