

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

By email: sids@pleanala.ie

Dáta | Date
7 August 2026

Ár dTag | Our Ref.
TII26-137063

Bhur dTag | Your Ref.
PAX01.324426

RE: 10 year planning permission for the construction of an Anaerobic Digestive (AD) facility and ancillary development located in Powerstown, Milford, County Carlow.

Dear Sir /Madam,

Transport Infrastructure Ireland (TII) acknowledges receipt referral of the above application on behalf of Greengate Biogas 001 Limited.

TII welcomes and is supportive of proposals aimed at achieving *Project Ireland 2040* National Strategic Outcomes (NSO) including *NSO 8 Transition to a Low Carbon and Climate Resilient Society* and *NSO 9 Sustainable Management of Water and other Environmental Resources*. TII consider that individual projects should proceed where they are complementary to the requirements of official policy set out in the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012) concerning maintaining the strategic capacity and safety of the national road network in accordance with *NSO 2 Enhanced Regional Accessibility*.

As the Commission is aware, the national road network consists of carriageways and includes its interchanges and associated services, including drainage and structures. Any works that temporarily or permanently interact with the national road network are subject to observance of official national roads policy, demonstration of TII Publications compliance and co-ordination with relevant national road network management entity.

TII's submission seeks to address the safety, capacity, and strategic function of the national road network with TII's statutory functions, and the provisions of official policy. This submission identifies the interactions of the proposed project and development with the national road network, sets out potential impacts arising and identifies appropriate revisions and mitigations for the proposed project to proceed complementary to the maintenance of the safe and efficient operation of the national road network which require resolution for the Commission's consideration:

1. Potential proposed development interactions with the national roads network

Chapter 6 - Traffic and Transportation of the submitted EIAR proposes a Construction Traffic Management Plan (CTMP) for the project to mitigate traffic impacts which will operate in conjunction with a proposed Construction Environmental Management Plan (CEMP). TII notes that the national roads network is to form part of the proposed development haul routing. The EIAR submitted specifically identifies the M9 including M9 Junctions 8 and 11 as an assessed "*principal haul route*" and the M9 and M9 Junction 6 as "*designated haul route*".



Having regard to the existence and requirement for compliance with TII Publications (Standards and Technical) for the national roads network and the management arrangements for the national roads network by a combination of local roads authorities, Motorway Maintenance and Renewal Contracts (MMaRC) Companies, and Public Private Partnerships (PPPs), TII submits it is appropriate to ensure that the technical standards and co-ordination requirements for utilisation of the national roads network for haul routing is included in the proposed CTMP. The information submitted does not appear to specifically identify these matters as mitigation for national roads network part of the proposed development construction traffic haul routing.

Therefore, TII recommends the following conditions be included in any grant of planning permission contemplated:

1. Prior to the commencement of development, the Construction Traffic Management Plan (CTMP) shall be submitted for the written agreement of Carlow County Council subject to the written agreement of TII. The matters to be addressed in the CTMP relating to national road network maintenance and road safety shall include:
 - i. Demonstration that Compliance with TII Publications (Standards) in accordance with relevant TII Publications (Technical) will be required for any work that may impact the national road pavement, structures and infrastructure including drainage.
 - ii. Any proposed works to the national road network, including signage, to facilitate construction traffic shall comply with TII Publications and shall be subject to Road Safety Audit as appropriate. Works should ensure the ongoing safety for all road users and prior to any development necessary licenses, approvals or agreements with PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) Companies and local road authorities, as necessary, shall be in place.
 - iii. Any damage caused to the pavement of the existing national road due to the turning movement of abnormal 'length' loads (e.g. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.
 - iv. All national road and ancillary overground/underground assets shall be subject to proper undamaged reinstatement and properly certified to the relevant standards in accordance with the assets' functions together with any working widths/depths which they require.
 - v. Separate structure approvals/permits, and other licences may be required in connection with the proposed works, including where temporary modification to the road network may be required.
 - vi. In association with the above the applicant/developer shall consult with all PPP Companies, MMarC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is maintained. TII requests referral of all proposals agreed between the road authority, PPP Concessions and MMarC Companies and the applicant impacting on national roads.

Reason: In the interests of road safety and protection of public infrastructure.

2. Prior to the first delivery of any abnormal or exceptional abnormal load associated with the development, the applicant shall submit to, and agree in writing, with the relevant Roads Authority(s) an Abnormal Load and Exceptional Abnormal Load Management Plan. The Plan shall confirm the final haul route, pre- and post-delivery condition surveys of the public road network (including bridges and culverts where required), any necessary accommodation works, traffic management measures, and confirmation of statutory abnormal load permits and Garda escort arrangements. Prior to the first delivery of any exceptional abnormal load, the permitting process required under Department of

Transport Circular RW18 of 2024 ('Exceptional Abnormal Loads') shall be completed to the satisfaction of the planning authority.

The delivery of abnormal or exceptional loads may take place outside standard construction working hours where required under the statutory abnormal load permitting process and as agreed with the relevant Roads Authority(s).

Reason: In the interests of road safety, protection of public infrastructure, and the orderly management of abnormal load movements.

2. Potential project interactions with the national roads network

The EIAR submitted with the application indicates a "*Proposed Gas Network Connection (Renewable Natural Gas Export)*" which it is stated will be the subject of separate development consent application.

The gas network connection route indicated in the submitted EIAR indicates crossing the M9 motorway in the vicinity of an M9 overbridge (carrying the L3038) at a location part of the Motorway Maintenance and Renewals Contract (MMaRC) Network Area C. TII advises that this overbridge (Eirspan Name: *Tomard Lower Road Overbridge*, Eirspan ref. no CW-M09-012.00) is a TII Structure. TII notes the EIAR commitment at section 14.4.1 of *Chapter 14 – Material Assets* that the crossing of the M9 will be by HDD (horizontal directional drilling).

TII notes that HDD crossing of watercourses is also proposed for the gas network connection route. section 13.6.1.1 sets out *Chapter 13- Surface Water and Hydrology* of the submitted EIAR sets out HDD mitigation measures for watercourse crossings which are repeated in *Chapter 18 – Schedule of Commitments*.

There does not appear to be a similar set of mitigation measures set out in the submitted EIAR for the HDD crossing of the M9 reflecting the technical requirements for motorway crossings as advised at pre-application consultation arranged by Carlow County Council and at EIAR scoping stage (TII ref. TII25-134184).

In the interests of clarity, TII has not provided any consent for any works within the motorway reservation under the Roads Act 1993, as amended and based on the level of information accompanying the subject application, all works proposed appear to be capable of execution outside the Motorway Reservation.

HDD crossing of a motorway formally engages the necessity for consent and demonstration of observance of TII Publications (Standards and Technical) and should reflect due regard for management arrangements to avoid maintenance gaps and in the interests of the safe and efficient operation of the national roads network and public safety generally. Having regard to the proposed Construction Environmental Management Plan (CEMP) supplied as Appendix 3.1 of the submitted EIAR, TII therefore recommends record and observance of the following mitigations for the proposed gas network connection route HDD M9 crossing part of this project:

- Any consent forthcoming from this application shall not approve nor imply consent for any works within the M9 Motorway reservation.
- Consent for any works within the M9 Motorway reservation, including the proposed HDD crossing, shall be required to be achieved under Section 53 of the Roads Act 1993, as amended.
- Prior to commencement of development, the Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The Construction Environmental Management Plan (CEMP) shall include the following commitments in relation to trenchless underground crossing of the M9:-
 - a) a pre-construction survey along the length of the crossing over the extents of the motorway/dual carriageway boundary;
 - b) a commitment to and methodology for, the preparation and submission of, a post-construction survey along the length of the crossing over the extents of the motorway boundary;

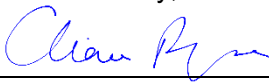
- c) a record of consultation with the Motorway Maintenance and Renewals Contract (MMaRC) Network C Contractors, via TII and the relevant road authority;
- d) record of works specific indemnities, Section 53 consent and arrangements for third party access as arise following consultation with thirdpartyworks@tii.ie; and
- e) details demonstrating compliance of works on, or in the vicinity of the national road with TII Publications, including TII Publication (Standard) CC-PAV-04007 - *Requirements for the Reinstatement of Openings in National Roads*.

The foregoing matters and their reflection as part of the proposed development are submitted to be in the interests of the avoidance of detrimental impact on the capacity, safety, or efficiency of the national road network, in the interests of sustainable development, and the promotion of an integrated approach to land use and transportation planning.

Please acknowledge receipt of this submission.

TII would appreciate acknowledgment of receipt of this submission.

Yours faithfully,



Cliona Ryan
Land Use Planner

TII advises that no part of this submission shall be construed as TII giving consent to access or alter any national road infrastructure assets including drainage regimes, vehicle restraint and safety systems, ducting, HDD crossings, structures etc. In the event that any damage is caused by any development works to the national road or associated assets, overground or underground, costs arising to fully remediate all impacted infrastructure assets to TII Publications standards and requirements will be pursued by or on behalf of TII

*Note: In accordance with the provisions of section 13 of the Roads Act 2015, Transport Infrastructure Ireland (TII) is the operational name of the National Roads Authority with effect from 1 August 2015