



An
Bord
Pleanála

Inspector's Report ABP-320679-24

Development	Construction of an electrical transmission support long duration battery array with all associated site works (Battery Energy Storage System) (BESS). Natura Impact Statement submitted with application.
Location	Glinn Chatha, Screebe, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	23448
Applicant(s)	Irish Storage Solutions
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Valentine Clarke
Date of Site Inspection	27 th January 2025
Inspector	Ian Boyle

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Appendices

Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The appeal site is in a rural area of Connemara at Glinn Chatha, Screebe, County Galway. The site is vacant and overgrown. It lies directly east of an ESB substation facility. A short distance past the substation, to the west, lies a training centre operated by the Galway and Roscommon Education and Training Board (GRETB). The site is approximately 11km south of Maam Cross (crossroads). Galway City is roughly 40km to the east.
- 1.2. The property is a conventional square-type shape. It has physical characteristics associated with that of a typical rural setting in Connemara. The land surface is mainly scrub and undergrowth with sporadic exposed granite rock in places. There appears to be interspersed Rhododendron throughout the site, which is an invasive plant species. There are overhead powerlines traversing the site from a general west to east direction.
- 1.3. The site has direct frontage to the R340 (Regional Road) which runs along the northern boundary of the site. There is a sharp fall downwards across the property from north (higher ground) towards the south (lower ground). The land then meets a rocky outcrop near the shoreline where there are direct and uninterrupted views of Galway Bay.
- 1.4. The site is adjacent the Kilkieran Bay and Islands SAC (Site Code: 002111). It is also roughly 450m from the Connemara Bog Complex SAC (Site Code: 002034) which is upland and to the north and northeast, respectively.
- 1.5. The surrounding vicinity comprises primarily farming and sporadic low-density one-off housing. A defining feature of the site, and immediate surrounding vicinity, including along the R340, is the presence of the coast towards the south. This section of the public road is a scenic route with views along the shoreline.
- 1.6. The application site has a stated area of 0.8ha.

2.0 Proposed Development

Development Proposal

- 2.1. The planning application was lodged on 6th November 2023.
- 2.2. The proposed development is for construction of an electrical transmission support and long duration battery array and associated site works. The array includes 44 no. containers each holding a battery unit capable of storing up to 2MW (and a maximum of 88MW). It can be described as a battery energy storage system (BESS).
- 2.3. The development also comprises a control building and ancillary infrastructure, including security fencing, lighting, CCTV, internal access roads and drainage, together with ancillary works.

Exsting ESB Substation

- 2.4. There is an existing ESB substation directly west of the site. The application states that the location of the proposed development next to this existing facility is optimal from an energy perspective. This is because energy would be able to be brought from existing wind farms in the area feeding into the substation and that minimal energy would be lost in transmission between the proposed battery array facility and substation. The purpose of the BESS is to store excess energy generated during periods of low energy demand.
- 2.5. The Applicant notes that this would mean limited works would be required in terms of routing cables from the substation to the proposed battery array facility. Therefore, there would be a relatively small development footprint in return for significant energy gains.

Grid Connection

- 2.6. The intended connection point to the grid (adjacent substation) is identified on the Proposed Site Layout Plan (version submitted as part of further information) (drwg. no. PL01-02).

Further Information

- 2.7. The Planning Authority requested further information on 9th January 2024, including
 - additional details of sightlines and the means of vehicular access (Item 1),

- provision of a revised site layout plan showing structures setback a minimum of 25m from the existing carriageway surface edge (Item 2),
- boundary treatment and landscaping details for alongside the R340 (Item 3),
- amended elevation of the proposed security fence to ensure access points for wildlife (Item 4),
- an amended Natura Impact Statement (NIS) (Item 5),
- provision of Applicant's company office registration number (Item 6),
- Visual Impact Assessment to assess the sensitive location of the site along a scenic route and within a Class 3 designated 'Special Landscape' (Item 7),
- Fire Risk Assessment (Item 8),
- Traffic Impact Assessment (Item 9), and
- confirmation of grid connection details and connection point to the adjoining substation facility (Item 10).

2.8. The Applicant responded with further information on 13th June 2024 addressing the above items.

2.9. The further information was deemed significant by the Planning Authority and revised public notices were arranged.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority issued a Notification of Decision to Grant Permission (NoD) on 6th August 2024, subject to 11 no. conditions.

3.1.2. Notable conditions include the following:

Condition 3(a): Permission granted for a period of 30 years after which the battery containers and other permitted equipment and structures must be removed.

Condition 3(b): Restoration plan required for removal of all permitted equipment.

Condition 4: Fire Risk Assessment.

Condition 5: NIS mitigation measures to be implemented and overseen by an appointed Construction Environmental Manager.

Condition 8: Transport Management Plan and Road Opening License required.

Condition 9: Various road safety works required, including phasing and delivery of works.

Condition 10: Security bond required.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main issues raised are as follows:

- The site is located in an unserviced rural area directly adjacent to an existing ESB substation.
- The proposed battery storage use at this location is considered appropriate in principle as the storage batteries could store energy generated by wind farm developments, when production levels are high, and the release of this into the grid when there is capacity.
- The proposed development complies with Policy Objectives RE1 'Renewable Energy Generation and Ancillary facilities', RE 5 'Renewable Energy Strategy', and the County Galway Local Authority Renewable Energy Strategy.
- The site is in an area of Landscape Sensitivity Class 3 and designated as 'Special'.
- The Landscape Character Area is 'Coastal Landscape' and the Unit is the 'Conamara Sea Lough Unit'.
- There are no designated Protected Views in the wider surrounding area. The site is to the immediate south of a designated scenic route, however.
- The revised Site Layout Plan and Road Safety Report submitted as further information show adequate sightlines can be achieved. The Applicant is also in discussion with ESB Networks in relation to providing a shared access arrangement.

- The revised Site Layout Plan has relocated all building and battery storage units a minimum of 25m from edge of carriageway, as required by DM Standard 29 Building Lines. The number of battery storage units has been reduced from 44 to 40, but the overall capacity of the facility has slightly increased, which is acceptable.
- The existing roadside hedgerow is to be retained with the new security fence setback 10m. The existing ditch is also to be planted with native species. The Landscape Plan and a Visual Impact Assessment submitted as further information show these changes would help preserve the rural character of the area and screen the proposed development along this scenic route.
- The security fencing has been amended to provide three openings per boundary at 20m intervals. This is in accordance with the National Roads Authority Guidelines for badgers and otters.
- The Visual Impact Assessment (VIA) provides a detailed assessment in terms of the receiving landscape and sensitive landscape designation for the area, which is a Class 3 'Special Landscape' and designated scenic route. The VIA includes photomontages confirming that the battery units would not be overly prominent in the receiving landscape.
- The retained and proposed landscaping, the amended siting of the facility, its setback from the road, the reduced number of battery storage units, and findings of the VIA mean that the development would not adversely impact on this sensitive coastal landscape.
- The requirement for a Fire Risk Assessment can be conditioned and will be required prior to the commencement of development.
- A full TIA has not been submitted. However, the further information provided by the Applicant provides a robust level of detail with regards to the predicted traffic volumes that would be generated and confirms safe sightlines can be achieved. The Planning Authority is satisfied that the proposed development would not result in a traffic hazard due to the minor envisaged increase in traffic volumes.

- The amended site layout plan shows the route of the proposed grid connection to the adjoining substation would be via an underground cable. The exact size of the pipework and type of cable is to be specified by ESB Networks. The proposed cable route would be in a trench passing through imported fill, which would be used to raise and level the site. This is considered acceptable and that the works proposed would not result in an adverse impact on the Kilkieran Bay and Islands SAC, subject to implementing mitigation measures.
- The proposed development is acceptable from a flood risk perspective and adequate freeboard has been provided.
- Appropriate Assessment (AA) considered acceptable and no further issues arising, subject to NIS mitigation measures being implemented.
- The proposed development would not trigger the requirement for an EIA (it is not a class for the purposes of EIA).
- Concludes that the proposed development would not seriously injure the amenities of the area, or property in the vicinity, and would be in accordance with the proper planning and sustainable development of the area.
- Recommends permission be granted.

3.2.2. Other Technical Reports

- None on file.

3.3. Prescribed Bodies

NPWS (Development Applications Unit): **No objection**, subject to condition requiring completion of an otter survey by a suitably qualified ecologist in advance of any construction works commencing.

Notes that the NIS provided with the application states that signs of otter (spraints) were recorded within the site. No otter holts or resting places were recorded within the application site during the current surveys. However, due to the presence of signs of otter, and the presence of suitable habitat for resting places or holts, this

may change before construction works commence, hence the recommended condition.

Archaeology (Development Applications Unit): **No objection**, subject to conditions requiring licensed archaeological monitoring.

3.4. Third Party Observations

The main issues raised are as follows:

- Queries validity of the planning application.
- Outlines obligations and legal tasks required by the Planning Authority.
- Concerns raised in relation to potential impact on European Sites.
- Visual impact.
- Impact on residential amenity and health implications for nearby residential houses and biodiversity in the area.
- Noise nuisance.
- Impact on tourism due to visual impact on scenery and natural environment.
- Alternative sites remote should have been investigated.

4.0 Planning History

Subject Site

None.

Adjacent Site (west)

Reg. Ref. 17/157: The Planning Authority **granted permission** on 6th April 2017 to ESB to carry out essential repairs to its existing 38kv line from the Screeb 110kv sub-station to Carraroe 38kv station through the townlands of Doire an Fheich (Derrynea), Caorán an Chosáin (Keeraunacussaun), Leitir Mucu (Lettermuckoo), Cinn Mhara (Kinvara), Camus Iochtair (Camus Eighter), Camus Uachtair (Camas Oughter). Works to include replacing existing double wood poles, stays and headgear.

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

Background

The Galway County Development Plan 2022-2028 was adopted by the Elected Members of Galway County Council on the 9th May 2022 and came into effect on the 20th June 2022.

The following chapters and sections are considered particularly relevant in the assessment of this appeal case:

Chapter 7: Infrastructure, Utilities and Environmental Protection

- Section 6.17 - Wastewater Policies and Objectives

The following Policy Objectives are noted:

EG 2 'Delivery of Electricity and Gas Infrastructure' is to support the provision and extension of electricity and gas transmission networks within the county which are critical to the economic development of the County subject to environmental quality, landscape, wildlife, habitats or residential amenity.

EG 3 'Power Capacity' is to support and liaise with statutory and other energy providers in relation to power generation, in order to ensure adequate power capacity for the existing and future needs of the County.

Chapter 8: Tourism and Landscape

- Section 8.13 – Landscape
- Section 8.13.2 Landscape Sensitivity

The following Policy Objectives are noted:

LCM 2 Landscape Sensitivity Classification states that the Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape/Visual Impact Assessment to accompany such proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan.

PVSR 1 – Protected Views and Scenic Routes seeks to preserve the protected views and scenic routes as detailed in Maps 8.3 and 8.4 from development that in the view of the Planning Authority would negatively impact on said protected views and scenic routes. This shall be balanced against the need to develop key infrastructure to meet the strategic aims of the plan

- Map 8.1 shows the site is part of the Coastal Landscape.
- Section 8.13.2 states that this landscape is 'Special: High sensitivity to change'.
- Map 8.2 shows that the site is Category 3 'Special Landscape Sensitivity'.
- Map 8.3 shows the appeal site is on the Maritime Scenic Route.

Chapter 10: Natural Heritage, Biodiversity and Green/Blue Infrastructure

- Section 10.6 Natural Heritage and Biodiversity

Chapter 14 Climate Change, Energy and Renewable Resources

- Section 14.8 Renewable Energy Generation Section
- Section 14.4 Climate Change Adaptation and Mitigation
- Section 14.6 Flooding

The following Policy Objectives are noted:

RE 1 'Renewable Energy Generation and ancillary facilities' is to facilitate and support appropriate levels of renewable energy generation and ancillary facilities in the county to meet national, regional and county renewable energy targets, to facilitate a reduction in CO2 emissions and the promotion of a low carbon economy.

RE 2 'Local Authority Renewable Energy Strategy' states that the policy objectives and Development Management Standards set out in the Local Authority Renewable Energy Strategy for County Galway shall be deemed the policy objectives and development management standards for the purpose of the Galway County Development Plan 2022-2028.

RE 5 Renewable Energy Strategy is to support and facilitate the sustainable development and the use of appropriate renewable energy resources and associated infrastructure within the County having due regard to the Habitats Directive and to

the detailed policy objectives and Development Standards set out in the Local Authority Renewable Energy Strategy as follows:

- Renewable Energy Transmission
- Renewable Energy Generation
- 'Strategic Areas' for renewable energy development
- Onshore Wind Energy
- Solar Energy
- Bioenergy/Anaerobic Digestion
- Micro-renewables
- Marine Renewables
- Hydro Energy
- Geothermal Energy
- Alternative Technologies
- Energy Efficiency & Conservation
- Sustainable Transport
- Auto production
- **Battery Storage**
- Repowering/Renewing Wind Energy Developments
- Community Ownership

[emphasis added.]

RE7 Renewable Energy Generation -Transition to a Low Carbon Economy is to facilitate and support appropriate levels of renewable energy generation in County Galway, considering the need to transition to a low carbon economy and to reduce dependency on fossil fuels.

Chapter 15 - Development Management Standards

- Section 15.12 is in relation to Climate Change, Energy and Renewable Energy

5.2. County Galway Local Authority Renewable Energy Strategy 2022-2028

- 5.2.1. The County Galway Local Authority Renewable Energy Strategy 2022-2028 ('LARES') outlines the renewable energy resource potential in County Galway. Its vision is consistent with that of the Galway County Development Plan 2022-2028 which is to develop energy efficient technologies and to harness indigenous renewable energy opportunities.
- 5.2.2. The LARES aims to do this while respecting the need to conserve areas of environmental, cultural and economic value. This will facilitate and encourage renewable energy generation and, ultimately, the transition to a low carbon economy.

5.3. National and Regional Policy

- National Planning Framework, 2018-2040
- National Development Plan, 2021-2030
- The Climate Action Plan 2024 (CAP24)
- The Climate Action and Low Carbon Development Act, 2021
- National Renewable Energy Action Plan (NREAP)
- Ireland's Transition to a low carbon Energy Future 2015-2030
- National Biodiversity Action Plan 2023-2030
- Flood Risk Management Guidelines for Planning Authorities 2009
- Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region, 2020-2032

5.4. Natural Heritage Designations

- 5.4.1. The appeal site is directly adjacent (north) of the Kilkieran Bay and Islands SAC (Site Code: 002111).
- 5.4.2. The site is roughly 450m from the Connemara Bog Complex SAC (Site Code: 002034) which is upland and to the north and northeast, respectively.

- 5.4.3. The Connemara Bog Complex SPA (Site Code: 004181) is roughly 2.2km to the west and 2.4km to the east. Maumturk Mountains SAC (Site Code: 002008) is roughly 7.9km to the north. Lough Corrib SAC (Site Code: 000297) is roughly 12km to the east. Lough Corrib SPA (Site Code: 004042) is roughly 12km to the north / northeast.

5.5. EIA Screening

- 5.5.1. 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. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.
- 5.5.2. Refer to Form 1 in Appendix 1 of this report for further details.

6.0 The Appeal

6.1. Grounds of Appeal

The main grounds of appeal are:

- Lack of public consultation.
- Impact on health of residents and biodiversity.
- Visual impact, including on the seafront and Wild Atlantic Way, which would be caused by the proposed development itself, but also cumulatively due to an existing ESB facility in the area.
- Impact on tourism.
- Health and safety concerns, including the potential for fire.
- Contamination of land (i.e., the Connemara Bog) during the construction phase due to potential leakages and spills.
- Alternatives sites not considered; there are better locations in south Connemara, further away from humans and sensitive flora & fauna.

7.0 Assessment

Having examined the application details and all other documentation on file, including the grounds of appeal, and having inspected the site, and in having regard to the relevant national, regional and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Land Use
- Environmental Impact
- Landscape and Visual Impact
- Alternative Sites
- Other Issues

7.1. Land Use

- 7.1.1. The proposed development is for the construction of a battery energy storage system (BESS). The battery array includes 44 no. containers each holding battery storage units up to 2MW for a maximum of 88MW. It also comprises a control building and ancillary infrastructure, including security fencing, lighting, CCTV, internal access roads and drainage together with ancillary works. The purpose of the BESS is to store excess energy generated during periods of low energy demand.
- 7.1.2. The site is roughly 0.8ha. It is vacant and situated in a remote area in rural Connemara approximately 11km south of Maam Cross. The surrounding vicinity comprises primarily farming and sporadic low-density one-off housing. There is an existing ESB substation directly west of the site – this is one of the main reasons why the site was selected by the Applicant to develop a BESS in this particular setting.
- 7.1.3. The locational context would allow for the minimal energy loss during the transfer process from the substation to the proposed battery array facility. It also means that limited works would be required in terms of routing cables and circuits from the substation to the proposed facility. As noted by the Applicant the substation is currently taking energy from existing energy generators in the area (i.e., wind farms).

- 7.1.4. I have considered the proposed development in the context of national and regional policy, including that which is set out under Section 5 of my report. I am satisfied the development as proposed is consistent with such policies and objectives, in principle, and that it would help contribute to the country's obligations regarding its transition to a low climate resilient society by helping to address climate change and a move away from fossil fuel usage.
- 7.1.5. In relation to the Galway County Development Plan 2022-2028, I note for the Board's attention that Policy Objectives RE 1, RE 2, and RE 5 are particularly relevant. The objectives are in relation to renewable energy generation and ancillary facilities, adherence to the Local Authority's Renewable Energy Strategy ('LARES'), and the sustainable development and use of appropriate renewable energy resources and associated infrastructure within the County having due regard to the Habitats Directive, respectively. The overall thrust of these objectives is to facilitate and support appropriate levels of renewable energy generation, including the provision of battery storage facilities, to meet renewable energy targets and to facilitate a reduction in CO2 emissions. [The full text of each Policy Objective is included under Section 5.1.]
- 7.1.6. In summary, I consider that the proposed land use (BESS) is in appropriate location and consistent in principle with relevant national, regional and local policy. This is subject to meeting other relevant planning considerations, which are addressed in the following sections of my report below.

7.2. Environmental Impact

- 7.2.1. The Appellant has concerns that the proposed development would result in the contamination of land due to potential leakages and spills during the construction phase.
- 7.2.2. I note that the application is accompanied by a Natura Impact Statement (NIS) and Construction Environmental Management Plan (CEMP). The Planning Authority requested that the initial version of the NIS, which was submitted as part of the original application, be revised as part of further information. Item 5 of the further information request required the Applicant to clarify and amend the proposed surface water management arrangement, the omission of an access road along the south

boundary of the site, near the shoreline, to be replaced with planted landscaping instead, and for there to be minimal interference in terms of the proposed boundary treatment works alongside the Kilkieran Bay and Islands SAC.

- 7.2.3. The NIS sets out a series of mitigation measures in relation to the construction phase. The measures are specific and detailed. They include protocols to address the potential risk of contamination of land and waterbodies due to accidental spillages or leakages, both during the construction and operational phases of the project. The NIS also confirms that the revised red line site boundary does not extend into the Kilkieran Bay and Islands SAC. I have reviewed the Proposed Site Layout Plan submitted as part of further information (drwg. no. PL01-02) and can confirm that this is the case. I note also that the battery storage containers have been pushed back further towards the central part of the site, away from the roadside edge, and that additional vegetative screening has been included on the northern site boundary for screening purposes.
- 7.2.4. The NIS and CEMP set out a comprehensive list of mitigation measures to ensure a comprehensive framework is in place for the construction, operation and management of potential environmental impacts which could occur as part of the proposed development. The documents outline the various strategies and methods which would be implemented to ensure construction works adhere to best practice and that potential adverse environmental effects can be avoided and minimised.
- 7.2.5. The CEMP (Section 5.0) is in relation to Site Management, and I note that it is intended that a Contract Manager would be appointed for the full duration of the works phase. The works will also be supervised by an Ecological Clerk of Works. A full range of mitigation measures are set out under Pages 4 – 8 of the CEMP. I do not propose to reference each measure proposed in my report. However, I note that there is a specific section dedicated to the protection of water (Section 6.1) and that this was a key concern raised by the Appellant. This will be achieved by adhering to the following procedures and protocols:
- prior contractor training,
 - provision of adequate spill kits onsite,
 - cementitious material spills will be quickly cleaned up to minimise the potential of pollutants entering watercourses,

- contaminated sediments will be carefully collected, stored, and subsequently disposed of offsite in adherence with waste management regulations,
- minimisation of ground disturbance,
- construction activities will be meticulously planned with potential use of a Terrastop to reduce the likelihood of soil erosion and sediment runoff,
- vegetation clearance will be limited and carried out in a controlled manner to preserve natural buffers help prevent erosion and filter runoff,
- material stockpiles will be covered during heavy rainfall,
- concrete pouring activities will be carefully planned to prevent spillage or contamination of water sources,
- equipment washouts will be conducted offsite only, and
- storage of fuel will be offsite only.

7.2.6. Furthermore, I note that the NPWS made submissions to the Planning Authority confirming no objection, subject to the inclusion of a condition requiring the completion of a further otter survey in advance of construction works taking place.

7.2.7. The NPWS states that the NIS provided with the application referred to evidence of otter spraints on the site. No otter holts or resting places were recorded within the application site during the surveys. However, due to signs of otters passing through the property, and given the presence of suitable habitat for resting places and holts, this could potentially change before construction works commence onsite, hence the recommendation for a further otter survey to be undertaken – an approach I concur with. In addition, I consider the insertion of a condition to help facilitate continued wildlife movement and access across the site would also be important and in the interest of protecting biodiversity.

7.2.8. In relation to potential environmental and biodiversity impacts on the Connemara Bog, I note that the site is roughly 450m from the Connemara Bog Complex SAC (Site Code: 002034). The SAC is located upland, to the north and northeast of the appeal site, respectively. The Connemara Bog Complex SPA (Site Code: 004181) is also upland and roughly 2.2km to the west. I note that there is no ecological connectivity or pathway which could lead to an impact occurring on these European Sites. [See Section 8.0 of my report below for further information.]

- 7.2.9. In summary, I am satisfied that the mitigation measures outlined in the CEMP and NIS provide practical procedures and adequate mitigation measures to control potential environmental impacts associated with the construction and operational phases of the proposed development.

7.3. Landscape and Visual Impact

- 7.3.1. The Appellant has raised a concern that the proposed development would lead to negative visual impacts on the receiving environment, particularly given its location along the the seafront and Wild Atlantic Way¹. They also state that the presence of the existing ESB substation on the adjoining site would lead to a cumulative visual and landscape impacts arising and that the facility should be situated elsewhere for this reason.
- 7.3.2. I note that a defining feature of the site, and its surrounding vicinity, is the presence of the coastline and views of Galway Bay towards the south. The rugged and scenic quality of the site and its surrounding landscape was evident during my site inspection. It is also reflected in planning policy terms under the Galway County Development Plan 2022-2028. In this regard, I consider Policy Objective PVSR 1 'Protected Views and Scenic Routes' relevant in the assessment of this appeal. The objective seeks to preserve the protected views and scenic routes as detailed in Maps 8.3 and 8.4 of the CDP from development that would have a negative visual impact. The objective also notes however that this should be balanced against the need to develop key infrastructure to meet the strategic aims of the Plan.
- 7.3.3. I note that Map 8.3 indicates that the subject site is on the 'Maritime Scenic Route' – this is depicted by a light blue line. Map 8.1 shows the site is also part of the Coastal Landscape, which is denoted by dark blue shading. Map 8.2 indicates the site is subject to Category 3 'Special Landscape Sensitivity' and Section 8.13.2 of the CDP says that the landscape in this area is 'Special: High Sensitivity to Change'. Map 8.4 is in relation to Protected Views, however there are no such designations in proximity to the appeal site. Given these classifications, it is apparent the site is sensitive and

¹ The Wild Atlantic Way is a defined coastal route and scenic tourist trail stretching along the country's northwest, west and southwest coastlines.

that its capacity to absorb new development – without exhibiting a significant alteration of character or change of appearance – is limited. The scenic route designation also indicates this section of the R340 has an important amenity, tourism, economic and cultural value.

- 7.3.4. The Applicant has prepared a Landscape and Visual Impact Assessment (LVIA) as part of their development proposal. It was submitted to the Planning Authority as part of further information (Item 7). I have read and reviewed the LVIA as part of my assessment. The LVIA provides an analysis of the visibility and prominence of the BESS against its immediate environs, but also the wider context of the receiving landscape, including from several vantage points along the scenic route (i.e. the R340), and from a location facing northwards across the bay.
- 7.3.5. The selection of visual reference points, or receptors, for developing the photomontages is vital for a thorough and comprehensive visual impact assessment. I note that the report states that the receptor points selected encompass the areas of visual sensitivity, including scenic viewpoints, public roads, residential areas, and protected landscapes. The report also provides a detailed overview of the planning context for the site and references the Landscape Character Assessment which is part of the Galway County Development Plan 2022-2028.
- 7.3.6. The assessment comprises 5 no. Visual Reference Points (VRPs) in total, including 4 no. viewpoints along the R340, three west and one east of the appeal site (Nos. 1, 2, 3 and 5). The Applicant states that it because the site is roadside and the potential for impact is restricted to a large extent by the topography of the road. VPR 4 is near a public art installation known as ‘The Big O’. This location is south of the site across part of the bay. It is referenced in the LVIA as a location where people come to take photographs and appreciate the landscape. Having physically visited the site, and completed a visual inspection up close, and from the surrounding vicinity, I consider that the photomontages included in the LVIA provide a realistic depiction of how the proposed development would appear as though constructed.
- 7.3.7. The proposed battery storage facility would take up a relatively small footprint and does not include any high or bulky structures. I consider that many of the views towards it would be blocked by existing trees, mature hedgerows and dense sections of scrub, the undulating topography of the area, meandering nature of the road, and

existing development in the nearby vicinity; mainly by the adjoining ESB substation and GRETB training centre facility. This is particularly the case for longer distance views from the west, along the R340, including at VRPs 1 and 2.

- 7.3.8. The LVIA states that only VRPs 4 and 5 are considered as having the potential for impact and are shortlisted for further assessment for this reason. However, I note that only viewpoint 5 is examined in the latter section of the report with no further reference made to VPR 4. The Board may consider this a deficiency. However, having visited the area and stood at the location of VRP4, facing towards the site, it is my opinion that views of the proposed development from this setting would be very restricted, at worst, and likely not possible at all. Therefore, I do not consider that the proposed development would be readily visible from this vantage point, or along most of the public roadside, for that matter. The Maritime Scenic Route would therefore not be visually diminished if the proposed development were to be constructed on this site.
- 7.3.9. In terms of VPR 5, the LVIA includes a useful ‘before’ and ‘after’ scenario with the photomontage on Page 17 showing the proposed battery containers painted in green against the backdrop of surrounding screening vegetation. I consider that the effect on the landscape from this receptor would be low and result in a minor impact only. The proposed landscaping strategy seeks to provide new and comprehensive planting throughout the site and dense strips of boundary screening, particularly along the northern site edge. This reflects the presence of existing plant and tree species on the site, including Willow, Rowan, Hawthorn and Holly. However, the Applicant should provide a final landscape masterplan, in my opinion, one that is consistent with Proposed Site Layout Plan submitted as further information to the Planning Authority (Drwg. No. PL01-02). This can be done under condition.
- 7.3.10. In addition to contributing to the replacement of the resting and foraging habitat proposed to be removed, the newly planted vegetation would help to enhance biodiversity and support local bird populations. I consider that once the landscaping has had the opportunity to take hold and establish itself on the property, it would provide a positive visual impact over the longer term. The implementation of the Invasive Species Management Plan (ISMP) would also assist in removing and controlling the spread of Rhododendron which currently exists on the land. This is

positive as Rhododendron can displace ground flora and negatively affect the biodiversity of natural habitats.

- 7.3.11. I consider the proposed development would not be a major departure in visual terms when compared with the existing substation. The site occupies a similar size area and the infrastructure and works to be accommodated on the subject property would be less visually intrusive than the existing ESB facility. By locating the proposed facility next to another similar type of infrastructure installation, this would allow for the clustering of such facilities next to each other and allow for the subject proposal to be partially assimilated against the backdrop of comparable development. This option would likely be less visually intrusive than developing a new site elsewhere, despite the site's sensitive landscape character. Furthermore, I do not believe the combined visual impact of both facilities would be so significant as to warrant a refusal decision.
- 7.3.12. In summary, whilst the receiving environment undoubtedly has an important scenic quality, I consider that the proposed development would not have an unacceptable adverse impact on the receiving landscape or visual amenity of the area. I note also that whilst Policy Objective PVSR 1 seeks to preserve the identified scenic routes in the County, it also makes provision to balance this 'against the need to develop key infrastructure to meet the strategic aims of the Plan'. The proposed battery energy storage system would help meet this requirement by storing energy from renewable sources and then releasing it back into the grid when power is needed most.
- 7.3.13. In conclusion, I consider that the proposed development would not have a significant adverse impact on the landscape or visual amenities of the area and that it is in accordance with the provisions of the Galway County Development Plan 2022-2028, including Policy Objective PVSR 1.
- 7.3.14. Lastly, the third party raises a concern that there would be negative impact to tourism due to visual impact on the landscape caused by the proposed development. However, in my opinion, because the anticipated landscape and visual impact would not be significant, it is unlikely that there would be any negligible effect on tourism or visitor numbers to the area.

7.4. Alternative Sites

- 7.4.1. The Appellant states that the application has failed to consider better-suited, alternative locations for the proposed facility, which would be further away from people and sensitive flora and fauna.
- 7.4.2. The Appellant does not identify any specific biodiversity impacts. However, I note that the site is in rural location adjacent Galway Bay and directly abuts the Kilkieran Bay and Islands SAC (Site Code: 002111). The site is also c. 450m downland (south) of the Connemara Bog Complex SAC (Site Code: 002034). The issue of potential impacts on European Sites, and the matter of Appropriate Assessment is examined under Section 8.0 of my report below, however.
- 7.4.3. I concur that the application does not provide a comparative assessment or site-selection analysis of other potential candidate sites for accommodating the proposal. However, there is no onus on the Applicant to do so. I note that the Development Plan does not require an examination of other locations or sites as part of the planning application process.
- 7.4.4. I also acknowledge that the Applicant has provided an explanation as to why the site is preferable from an energy perspective, and how certain logistical synergies could be achieved by situating a battery storage facility next to the existing ESB substation. In this regard, the application includes information describing how given the proximity and physical relationship between the two sites that there would be minimal energy lost in the transfer process between the proposed battery array and substation. This is mainly because of the short distances involved. This is logical, in my view, and such a scenario would also help to minimise the need for cabling, wires, circuits, and other transmission infrastructure.
- 7.4.5. There is a considerable capital outlay for the installation and continued maintenance of these type of largescale battery storage facilities, and I consider that it would be advantageous to utilise existing infrastructure and works where possible. This would be generally preferable to constructing another similar type of facility in a new location where efficiencies would otherwise be lost.
- 7.4.6. I note also that there is clear national and regional policy support for these types of facilities. The NPF under NPO 70 is to promote renewable energy use and

generation at appropriate locations within the built and natural environment to help meet national objectives towards achieving a zero carbon economy by 2050. The RSES also states under RPO 4.18 that it is an objective to support the development of secure, reliable and safe supplies of renewable energy, to maximise their value and maintain inward investment, to support indigenous industry and create jobs.

- 7.4.7. The County Galway Local Authority Renewable Energy Strategy ('LARES') is also important in this regard, including where it is stated that alternative renewable energy technologies are primarily characterised by battery storage technologies. I consider that the proposed development is supported by LARES Policy Objective 32 'Diversification of Renewable Energy Mix', which is to recognise and encourage the deployment of alternative renewable energy devices where they add demonstrable capacity and efficiencies to existing renewable energy developments and/or diversify the renewable energy mix of County Galway. The proposal is also supported by LARES Policy Objective 33 'Alternative Renewable Energy' which is that alternative renewable energy developments will be supported where they are not likely to have significant impacts on the built and natural environment and can be evidently accommodated on the transmission grid network in accordance with the proper planning and sustainable development of the area.
- 7.4.8. In conclusion, and in having regard to the above, I consider that the proposed battery energy storage system would be appropriate in this location, and that the receiving context would not incur any significant negative or unacceptable impacts.

7.5. Other Issues

Public Consultation

- 7.5.1. The Appellant raises an issue in relation to the level of public consultation undertaken by the Applicant.
- 7.5.2. I note that consultation occurred at planning authority stage where third parties were afforded the opportunity to make observations in the normal manner after lodgement of the original application. The Planning Authority also issued a request for further information post receipt of submissions, and third parties were permitted to make an appeal, or lodge an observation, to the Board as part of the appeals process.

- 7.5.3. I do not consider that the parties, or any members of the public for that matter, have been discommoded in any way, or that third party rights have been impinged upon in some manner.
- 7.5.4. It is my opinion that this issue is not sufficient reason to refuse the application.

Health and Safety

- 7.5.5. The appeal sets out concerns in relation to health and safety issues, including potential for fire and accidents occurring on the site.
- 7.5.6. The surrounding vicinity is rural and there is sporadic low-density one-off housing throughout the area. The nearest dwelling is across the R340, to the north, and roughly 50m from the northern edge of the appeal site. It is more than 70m from the nearest battery storage unit. The training centre operated by the Galway and Roscommon Education and Training Board (GRETb) is on the far side of the ESB substation (west), approximately 120m away. There are no other houses, buildings or sensitive uses of note in proximity to the site from a fire hazard or accident perspective, in my opinion.
- 7.5.7. The Planning Authority raised the issue of fire safety in their further information request (Item 8). The Applicant stated in their response that after consulting with two separate and independent fire consultants that a fire risk assessment would be necessary for a future fire certificate application. The fire cert is a requirement under the building control process.
- 7.5.8. I further note however that the Planning Authority has included a condition as part of their NoD to Grant Permission requiring that prior to the commencement of development the Applicant must submit a Fire Risk Assessment (FRA) for review by the Planning Authority. The condition requires that no works can commence onsite until the Planning Authority has provided written signoff in relation to the acceptance of this assessment.
- 7.5.9. The purpose of an FRA is to outline preventative measures for potential causes of fire hazard and to evaluate the associated risk of same. It sets out measures to reduce the risk of a fire occurring onsite and includes, for example, the safe storage and maintenance of flammable materials and substances, the intended method(s) of extinguishment, and the installation of fire safety equipment and apparatus (fire

alarms, detection systems, and methods of suppression, etc.). The preparation of an FRA would help to reduce the risk of fire occurring on the site.

- 7.5.10. The Board may also wish to consider a condition which requires the Applicant to prepare an Emergency Response Plan (ERP). The purpose of an ERP is to set out a reactive strategy, and specific procedures, to implement and deploy in the event of a fire happening and actions the operator of the facility would be responsible for in terms of quickly and effectively responding to this type of emergency situation.

Invasive Species

- 7.5.11. There is a presence of Rhododendron throughout the site. The Applicant has duly prepared an Invasive Species Management Plan (ISMP), which is welcome and good practice in terms of addressing this issue. However, I recommend that a final ISMP should be conditioned as part of any decision to grant permission as it is high-level document at present with no real site-specific measures proposed.
- 7.5.12. The ISMP would provide a detailed strategy in terms of mitigation actions to be adopted to address the unique conditions of the site and presence of invasive plant species – the current version of the ISMP does not provide for this. The final ISMP would help to ensure that the area and local ecosystem can be protected and that the spread of invasive species, including Rhododendron, can be effectively prevented, managed and controlled as part of future site works.

8.0 Appropriate Assessment

Introduction

- 8.1. The requirements of Article 6(3), as related to screening the need For Appropriate Assessment of a project under part XAB, section 177U and section 177V of the Planning and Development Act 2000 (as amended), are considered in this section of my report.
- 8.2. The Habitats Directive is in relation to the conservation of natural habitats and of wild fauna and flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in

combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

- 8.3. The Competent Authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).
- 8.4. Section 8.0 of my report considers the likely significant effects of the proposed development on European Sites with each of the potential significant effects assessed in turn. The assessment is based on the Natura Impact Statement prepared by Aster Environmental Consultants Ltd), as well as other relevant information submitted as part of the application and on file.

Receiving Environment (Description)

Subject Site

- 8.5. The subject site is in a rural area of Connemara at Glinn Chatha, Screebe, County Galway. The site is vacant and not used for any particular purpose. It lies directly east of an ESB substation facility. A short distance past the substation, to the west, lies a training centre operated by the Galway and Roscommon Education and Training Board (GRETb).
- 8.6. The land surface is mainly scrub and undergrowth with sporadic exposed granite rock in places. There appears to be interspersed Rhododendron throughout the site and overhead powerlines traversing the property in a general west to east direction. The site has direct frontage to the R340 (Regional Road) which runs along the northern boundary of the site. There is a sharp fall downwards across the property from north (higher ground) towards the south (lower ground). The land then meets a rocky outcrop near the shoreline where there are direct and uninterrupted views of Galway Bay.
- 8.7. The site is adjacent the Kilkieran Bay and Islands SAC (Site Code: 002111). It is also roughly 450m from the Connemara Bog Complex SAC (Site Code: 002034) which is upland and to the north and northeast, respectively. The NIS notes that there is no connectivity or pathways for impact for Connemara Bog Complex SAC.

- 8.8. The NIS notes that survey work has taken place in terms of a site walkover, otter survey and invasive species survey. I note that no survey limitations were encountered other than some issues regarding site accessibility which partially inhibited the invasive species survey.
- 8.9. Section 1.0 of my report above provides details of the site and its surrounding vicinity.

Proposed Development

- 8.10. The proposed development is for construction of an electrical transmission support and long duration battery array and associated site works. The array includes 44 no. containers each holding battery storage units up to 2MW (maximum of 88MW). It can be described as a battery energy storage system (BESS). The development also comprises a control building and ancillary infrastructure, including security fencing, lighting, CCTV, internal access roads and drainage together with ancillary works.
- 8.11. There is an existing ESB substation directly west of the site. The application states that the location of the proposed development next to this existing facility is optimal from an energy perspective. The NIS notes that energy will be bought from existing energy generators (wind farms) feeding in through the substation and that little to no energy will be lost in transmission. The chosen location also means that limited works would be required to bring cables from the substation to the battery storage units.
- 8.12. The application is accompanied by a Construction Environmental Management Plan, Invasive Species Management Plan, Landscape Report, Site-Specific Flood Risk Assessment, Stormwater Management Plan and Traffic Survey.
- 8.13. Section 2.0 of my report above provides a more detailed description of the proposed development.

Stage 1 (Screening)

- 8.14. The site is not affected within a European Site. However, it is directly adjacent (north) of the Kilkieran Bay and Islands SAC (Site Code: 002111).
- 8.15. The site is also roughly 450m from the Connemara Bog Complex SAC (Site Code: 002034). This SAC is upland and to the north and northeast of the appeal site, respectively.

- 8.16. The Connemara Bog Complex SPA (Site Code: 004181) is roughly 2.2km to the west and 2.4km to the east. The Maumturk Mountains SAC (Site Code: 002008) is roughly 7.9km to the north. The Lough Corrib SAC (Site Code: 000297) is roughly 12km to the east. The Lough Corrib SPA (Site Code: 004042) is roughly 12km to the north / northeast.
- 8.17. There is no potential for any direct effects as the proposed development footprint is located outside the boundaries for any SAC and SPA. However, in the absence of mitigation measures, there is potential for indirect effects on the Qualifying Interests (QIs) of the designated sites identified in Table 8.1 below, and particularly the Kilkieran Bay and Islands SAC due to proximity and downwards sloping gradient of the site towards it. Indirect effects would involve mainly a potential deterioration of water quality and/or pollution of surface water and groundwater, light pollution and noise pollution.
- 8.18. The Applicant's Report (Section 5.0) sets out a summary of the likely significant effects on European Sites. It outlines the potential direct, indirect and in-combination effects.

Conclusion

- 8.19. Following an examination, analysis and evaluation of all the relevant information and in view of best scientific knowledge, and applying the precautionary principle, the AA Screening concludes that there is the possibility for significant effects on the following European sites, in the absence of mitigation either arising from the project alone or in combination with other plans and projects, as a result of habitat loss and fragmentation, hydrological impacts, and disturbance and displacement impacts:
- Kilkieran Bay and Islands SAC (Site Code: 002111)
 - Connemara Bog Complex SAC (Site Code: 002034)
 - Connemara Bog Complex SPA (Site Code: 004181)
 - Maumturk Mountains SAC (Site Code: 002008)
 - Lough Corrib SAC (Site Code: 000297)
 - Twelve Bens / Garraun Complex (Site Code: 002031).

8.20. The Applicant's Report (Page 15) notes that the Connemara Bog Complex SAC is 500m away but that there is no connectivity or pathway which could lead to an impact occurring. This Natura 2000 site is therefore screened out. The Report states that given the type and scale of the project the European Site screened in for further consideration (Stage 2) is the Kieran Bay and Islands SAC. The Applicant's NIS also states that the sites listed above are too distant to be impacted on, are effectively upstream of the site, or are within a separate hydrological catchment.

Table 8.1: European Sites within the Zone of Influence either Screened Out or Requiring Appropriate Assessment (Stage 2)

Site Code	European Site	Approx. Distance / Source-Pathway Receptor	Summary of possible effects alone	In-combination effects
002111	Kilkieran Bay and Islands SAC	Directly adjoins appeal site to the south	Having regards to the proximity of the site to the SAC, potential impacts are likely and will be assessed further. Effects could include habitat loss, fragmentation, degradation, disturbance and / or displacement of species.	No possibility of in-combination effects
002034	Connemara Bog Complex SAC	450m to the north / northeast	NA - Screened Out	No possibility of in-combination effects
004181	Connemara Bog Complex SPA	2.2km to the west and 2.4km to the east	NA - Screened Out	No possibility of in-combination effects
002008	Maumturk Mountains SAC	7.9km to the north	NA - Screened Out	No possibility of in-combination effects
000297	Lough Corrib SAC	12km	NA - Screened Out	No possibility of in-combination effects
004042	Lough Corrib SPA	12km	NA - Screened Out	No possibility of in-combination effects

Stage 2 (Natura Impact Statement)

Introduction

- 8.21. Table 8.1 above identifies a single European Site within the zone of influence of the appeal site requiring Appropriate Assessment (Stage 2). All other sites have been screened out at Stage 1.

Test of Likely Effects and Mitigation Measures

- 8.22. Taking account of the characteristics of the proposed development, including its location and proposed scale of works, the following issues are considered relevant in terms of assessing the likely significant impacts on the identified European sites:

1. Displacement of scrub habitat and resulting ecological impact on local ecosystems, wildlife, and plant species.
2. Deterioration of water quality in designated areas arising from pollution from surface water run-off and excavation / earth moving works during the site preparation and construction phase.
3. Deterioration in water quality in designated areas arising from pollution during the operational phase of the proposed development.
4. Noise and light impacts from the construction and operational phases.
5. Cumulative impacts with other proposed/existing developments.

[I have also considered the detailed description of the above potential direct and indirect impacts as set out in the NIS.]

- 8.23. The NIS includes measures to mitigate potential negative impacts on the individual European Site screened in for the purposes of AA. These are set out under the relevant paragraph heading of Section 6 of the NIS and are extensive (see Pages 32 – 33).
- 8.24. The NIS confirms that with the effective implementation of appropriate mitigation measures the proposed development poses no risk of affecting the conservation objectives, or the conservation condition, of the QIs associated with the Nature 2000 site. Therefore, there are no residual direct or indirect impacts associated with the proposed development that could adversely affect the integrity of these Sites.

In-Combination Effects

- 8.25. The NIS (Pages 30 – 31) addresses the potential for in combination effects. It also considers how the proposed development is aligned with the policies and objectives of the Galway County Development Plan 2022-2028, including EG 2 'Electricity Transmission Networks'. The NIS identifies other activities in the area which pose a threat to the ecological integrity of the Kilkieran Bay and Islands SAC include agriculture, point discharge, roadworks, housing developments, wind farms, fishing and aquaculture.
- 8.26. Section 5.3.2 of the NIS concludes that the activities identified above would have no bearing on the proposed development project and notes that that the project will enhance the renewable energy value of existing windfarms in the area through a small land take of less than 1 ha (0.827ha). The NIS notes that the project is fully aligned with national energy targets and with those set by Galway County Council.

Conclusion of NIS

- 8.27. This NIS has examined and analysed, in light of the best scientific knowledge, with respect to those European sites within the zone of influence of the proposed development, the potential impact sources and pathways, how these could impact on the sites' special conservation interest species and whether the predicted impacts would adversely affect the integrity of the aforementioned Natura 2000 Sites.
- 8.28. The NIS concludes that following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted impacts from the proposed development, that the proposed development will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects.

Note on NIS completed by the Applicant

- 8.29. Having reviewed the NIS and supporting documentation, I am satisfied that the information allows for a complete assessment of any adverse effects of the proposed development on the conservation objectives of the abovementioned European sites alone, or in combination with other plans or projects.

Inspector's Appropriate Assessment

Introduction

- 8.30. The following is a summary of the objective scientific assessment of the implications of the proposed development on the qualifying interest features of the European Site referenced above using the best scientific knowledge. All aspects of the project which could result in significant effects are examined.
- 8.31. I have considered and assessed the mitigation measures designed to avoid or reduce any significant adverse effects.

Potential Impact on identified European Site(s) at risk of effects

- 8.32. The European Site subject to Appropriate Assessment is referenced in Table 8.1 above. A full description of the site and its Qualifying Interests (QI's) is available on the NPWS website, and I confirm that I have had regard to this information as part of my assessment. I have set out the various QI's arising in Table 8.2 below.
- 8.33. I have also examined the relevant Natura 2000 data forms and Conservation Objectives for these sites, which are available on the NPWS website. The relevant NPWS Site Documents have also been reviewed as part of my analysis.
- 8.34. The conservation objectives for the Kilkieran Bay and Islands SAC (Site Code: 002111) for the purposes of Appropriate Assessment (i.e., Stage 2) can be summarised as follows:
- To restore / maintain the favourable conservation condition of the habitats and species listed as qualifying interests for the identified European Sites which are defined by a specific list of attributes and targets.²

² The full reports for the conservation objectives for the listed SACs and SPAs are available on the NPWS website. I have examined these as part of my assessment and confirm I have had particular regard to the conservation objectives seeking to restore the favourable conservation condition of Qualifying Interests.

Table 8.2: Qualifying Interests of Kilkieran Bay and Islands SAC for considered for Stage 2 Appropriate Assessment (NIS)

Site Name / Site Code	Qualifying Interests
Kilkieran Bay and Islands SAC (Site Code: 002111)	- Mudflats and sandflats not covered by seawater at low tide [1140] - Coastal lagoons [1150] - Large shallow inlets and bays [1160] - Reefs [1170] - Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] - Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] - Machairs (* in Ireland) [21A0] - Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130] - Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) [6510] - <i>Phocoena phocoena</i> (Harbour Porpoise) [1351] - <i>Lutra lutra</i> (Otter) [1355] - <i>Phoca vitulina</i> (Harbour Seal) [1365] - <i>Najas flexilis</i> (Slender Naiad) [1833]

Habitat Loss and Fragmentation

- 8.35. In relation to habitat loss and fragmentation, I note the site does not overlay the boundary of any European Site. Therefore, there are no European sites at risk of direct habitat loss impacts and there is no potential for direct habitat fragmentation to occur. However, the displacement of scrub habitat and resulting ecological impacts on local ecosystems, wildlife, and plant species is a possibility.
- 8.36. The loss of the subject land, which is roughly 0.8ha, would not be significant in the context of the nature of the surrounding land. There is a general abundance of suitable habitat in the area, as noted in the Applicant's NIS, and as observed during

my physical inspection of the site and surrounding vicinity. However, significant impacts, which could undermine the conservation objectives for the European Site due to habitat loss cannot fully be excluded.

Habitat degradation due to hydrological impacts

- 8.37. The release of contaminated surface water runoff has the potential to affect water quality. This could be from an accidental spillage, release of sediment, or another type of pollution event and may impact surface water features during the construction, or operation phase, of the project. Contaminants could potentially run downslope and off the site into the SAC. This could extend for a significant distance across the bay.
- 8.38. If a pollution event of sufficient magnitude occurred during the construction or operational phase of the project, the surface water network could potentially transfer contaminants into the SAC and potentially lead to negative impacts on water quality and the special conservation interests of the European Site in question. This could undermine the conservation objectives of the SAC.

Disturbance and Displacement Impacts

- 8.39. I consider that construction-related disturbance and displacement of certain species could potentially occur within the vicinity of the appeal site.
- 8.40. Notwithstanding the short duration of the proposed construction works and availability of similar habitat in the area, I consider that significant impacts due to disturbance and displacement cannot be fully excluded in the case of Kilkieran Bay and Islands SAC. Disturbance and displacement impacts could potentially undermine the conservation objectives for the relevant SCIs and require further consideration in terms of mitigation for this reason, in my opinion.

Noise and lighting impacts

- 8.41. I note the proximity of the adjoining ESB substation to the west of the appeal site. I consider that noise and lighting levels required as part of the works phase for the project would diminish to close to background levels at distance, particularly with the implementation of mitigation.
- 8.42. The NIS notes that the correlation between substation power transformer noise levels and MVA ratings reveals existing typical noise levels between 60 and 80

decibels. It states that while some minor noise increase is anticipated during battery unit operation, this is expected to be overshadowed by the existing substation noise levels. It is important to note that noise from construction and decommissioning activities, primarily involving machines and cranes, will only occur for a brief 12 to 16-week period, meaning limited environmental disruption.

Mitigation Measures

- 8.43. The NIS and CEMP include extensive mitigation measures for the purposes of AA. The main purpose of these is avoid any reduction in water quality in the area with a view to protecting the identified designated site and its SCI species. I also note that details of the construction measures to be employed to prevent effects resulting from any runoff of contaminants from the property to surface or groundwater are provided in the CEMP forming part of the application.
- 8.44. The NIS notes that the southern site boundaries are coastal, but that there are no drainage ditches directly connecting the site to sensitive waterbodies. Due to the landscape's topography, with a setback of at least 30m from the shore, the potential for pollution is considered minimal. However, there is a risk of pollutants affecting nearby species if they enter the water. It is noted that runoff from construction activities, including suspended solids or hydrocarbons into the sea, could potentially harming water quality and, subsequently, the Natura 2000 site's aquatic species and habitats.
- 8.44.1. I note that otter is a protected species under Annex IV of the Habitats Directive. Article 12 (1) (d) of the Habitats Directive. It is an offence to cause the deterioration or destruction of breeding sites or resting places of Annex IV species. I note that the NIS states that evidence of otter spraints were recorded within the appeal site. No otter holts or resting places were recorded onsite as part of the survey work undertaken.
- 8.44.2. However, due to the presence of signs of otter, and suitable habitat for resting places or holts for this protected species, it is considered that this could change before construction works commence on the property as part of any consent granted. This is noted in the submission made by the NPWS. Consequently, the NPWS recommended a condition as part of any grant of permission issued that a pre-commencement Otter Survey be undertaken in advance of any construction works.

The survey should be undertaken by a suitably qualified ecologist. I agree that the matter can be satisfactorily addressed in this way.

8.45. The measures proposed are in relation to potential impairment of water quality during the construction and decommissioning phases. I do not propose to list the full extent of the mitigation measures set out under Section 6.0 of the NIS (Pages 32 – 33). However, some of the main measures include:

- Adequate spill kits with absorbent materials will be onsite.
- Contractors will receive training in spill kit usage.
- Contaminated sediments will be stored and disposed of offsite following waste management regulations.
- Minimisation of ground disturbance.
- Vegetation clearance will be limited to what is required with screening vegetation retained.
- Material stockpiles will be covered during heavy rain
- Concrete pouring will be planned with the minimal amount required.
- Any cementitious material spills will be promptly cleaned.
- Equipment washouts will occur offsite
- Fuel storage and refuelling will follow protocols.
- Terram Terrastop to be installed to mitigate suspended solids leaving the site.

8.46. Having regard to the information contained in the NIS in relation to mitigation, I consider the NIS contains complete, precise and definitive findings. My conclusion is that no reasonable scientific doubt remains as to the absence of any potential detrimental effects on the designated sites having regard to their conservation objectives.

Potential for In-Combination Effects

8.47. The NIS identifies other activities in the area which pose a threat to the ecological integrity of the Kilkieran Bay and Islands SAC include agriculture, point discharge, roadworks, housing developments, wind farms, fishing and aquaculture. I consider

these activities typical and not unusual in the context of the subject site and its surrounding area.

- 8.48. I conclude given the relatively small-scale and localised nature of the proposed development, and with adherence to best practice guidelines during construction and operation, the project (with mitigation) would not contribute significantly, either alone or in combination with other projects, to adverse effects on the Natura 2000 network.

Conclusion

- 8.49. The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act, 2000, as amended.
- 8.50. Having carried out screening for Appropriate Assessment of the proposed development, I have concluded that having regard to best scientific evidence, it could potentially have a significant effect on Kilkieran Bay and Islands SAC (Site Code: 002111). Other European Sites were excluded at Stage 1 (see Table 8.1 above).
- 8.51. Consequently, an Appropriate Assessment was required of the potential implications of the project on the qualifying interests/special conservation interests of this site in light of its conservation objectives.
- 8.52. Following a Stage 2 Appropriate Assessment, I have ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of this European Site, or any other European site, in view of its Conservation Objectives. My conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.
- 8.53. I consider that potential impacts can be successfully mitigated against by the successful implementation of the mitigation measures set out in the NIS (and CEMP) prepared by the Applicant and that there would be no deterioration in water quality or impacts upon any designated habitat or any species dependent on these designated habitats.

9.0 Recommendation

- 9.1. I recommend that planning permission be granted for the reasons and considerations set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the:

- provisions of Galway the County Development Plan 2022-2028, including Policy Objectives RE 1 and 5 in relation to renewable energy generation,
- the County Galway Local Authority Renewable Energy Strategy (2022-2028),
- location, nature, design, size and scale of the proposed facility, and the established character and pattern of development in its vicinity, which includes an existing electrical substation on the adjoining site to the west, and proximity to the national grid,

it is considered that, subject to compliance with the conditions set out below, the proposed development:

- would accord with national, regional and local planning policy, including NPO 70 and RPO 4.18, which are regarding the provision of secure, reliable and safe supplies of renewable energy,
- would be consistent with the provisions of the Climate Action Plan 2024 (CAP24) and therefore make a positive contribution towards renewable energy, the security of energy supply and Ireland's transition to a low carbon economy,
- would not seriously injure the visual or residential amenities of the area, or of the surrounding landscape,
- would be acceptable in terms of the management of risk to both human health and the environment,

the proposed development would therefore be in accordance and with the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on 13th June 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	a) The permission shall be for a period of 30 years from the date of the first commissioning the battery energy storage system. All structures, including the battery container units, control building, and all other permitted equipment and ancillary structures, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period. b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the battery container units, and all other ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority. c) On decommissioning of the facility, the battery arrays and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within 6 months of decommissioning. Reason: To enable the planning authority to review the operation of the battery energy storage system over the stated time period, having regard to

	the circumstances then prevailing, and in the interest of landscape restoration.
3.	a) The mitigation measures contained in the submitted Natura Impact Statement (NIS) and Construction Environmental Management Plan (CEMP) shall be fully implemented. b) An Ecological Clerk of Works (ECoW) with suitable experience shall be appointed to ensure all mitigation measures outlined in the NIS and CEMP shall be carried out. c) The ECoW shall submit a report to the planning authority demonstrating compliance with mitigation measures and ecological considerations both during and post the construction phase. Reason: To protect the integrity of European Sites and in the interest of environmental protection and public health and safety.
4.	a) Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. b) The inverter/transformer stations, battery storage, control units and all fencing shall be dark green in colour. c) Only first generation (new) batteries shall be used in the development. Prior to commencement of development a method statement shall be submitted for the written agreement of the Planning Authority detailing how end-of-life batteries shall be managed and disposed of. End-of-life battery management shall thereafter be undertaken in accordance with the details agreed. Reason: In the interest of visual amenities of the area and of environmental management.
5.	Prior to the commencement of development, the applicant shall submit a final Invasive Species Management Plan (ISMP), which shall be carried out by a suitably qualified individual for the review of the Planning Authority. No

	works shall commence on site until the applicant has received the written agreement of the Planning Authority with regard to this assessment. Reason: In the interests of public safety and biodiversity.
6.	Prior to the commencement of development, the applicant shall submit a Fire Risk Assessment (FRA), which shall be carried out by a suitably qualified individual, for the review of the Planning Authority. No works shall commence on site until the applicant has received the written agreement of the Planning Authority with regard to this assessment. Reason: In the interests of public safety and biodiversity.
7.	Prior to the commencement of development, the applicant shall submit an Emergency Response Plan (ERP), which shall be carried out by a suitably qualified individual, for the review of the Planning Authority. No works shall commence on site until the applicant has received the written agreement of the Planning Authority with regard to this assessment. Reason: In the interests of public safety and biodiversity.
8.	a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission 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 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) The battery container units shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission. d) Cables within the site shall be located underground. Reason: In the interest of residential amenity, to allow wildlife to continue to have access to and through the site, and to minimise impacts on drainage patterns and surface water quality.

9.	Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Traffic Management Plan (TMP) for the construction phase of the development for the written agreement of the planning authority. The TMP shall incorporate details of the road network to be used by construction traffic including oversized loads, detailed proposals for the protection of bridges, culverts and other structures to be traversed, as may be required. The agreed TMP shall be implemented in full during the course of construction of the development. Reason: In the interest of sustainable transport and safety.
10.	Before any development takes place on the site, details of the structures of the perimeter fence showing provision for the movement of mammals at regular intervals along the perimeter of the site shall be submitted for the prior written agreement of the planning authority. This shall be facilitated through the provision of mammal access gates designed generally in accordance with standard guidelines for mammal access (NRA 2008). Reason: To allow wildlife to continue to have access across the site, in the interest of biodiversity protection.
11.	a) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and which is consistent with the details down in the Proposed Site Layout Plan (version submitted as part of further information) (drwg. no. PL01-02). b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity.

12.	To ensure no significant change in baseline conditions, a pre-construction otter survey shall be undertaken by a suitably qualified ecologist no more than 10-12 months prior to the commencement of any works. The pre-construction otter survey shall be undertaken in line with the NRA (TII) Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes (2008). Reason: To ensure the protection of Otter.
13.	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.
14.	"The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any further archaeological mitigation

	requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer. Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.
15.	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 will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the amenities of property in the vicinity.
16.	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.
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[I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.]

Ian Boyle
Senior Planning Inspector

26th February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320679-24		
Proposed Development Summary	The proposed development is for construction of battery energy storage system (BESS) and associated site works. It includes 44 no. battery storage containers, a control building and ancillary infrastructure, including security fencing, lighting, CCTV, internal access roads and drainage together with ancillary works.		
Development Address	The appeal site is in a rural area of Connemara at Glinn Chatha, Screebe, County Galway. The site is vacant and not used for any particular purpose. It lies directly east of an ESB substation facility. The site is approximately 11km south of Maam Cross (crossroads). Galway City is roughly 40km to the east.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	✓		No further action required.
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			

No	✓		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	NA		

5. Has Schedule 7A information been submitted?		
No	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: 26th February 2025