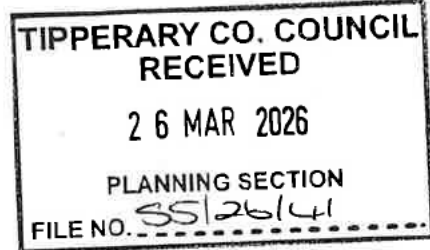




Comhairle Contae Thiobraid Árann
Tipperary County Council



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	Ballin Solar Limited
<i>Address</i>	Third Floor, Waterloo Exchange, Waterloo Road, Dublin 4, D04 E5W7
<i>Telephone No.</i>	N/A
<i>E-mail</i>	N/A

2. Agent's (if any) address:

<i>Agent</i>	Malone O'Regan Environmental
<i>Address</i>	Malone O'Regan Environmental Ground Floor - Unit 3; Bracken Business park Bracken Road, Sandyford Dublin 18. D18 V32Y
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Townlands of Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, County Tipperary
--	--

4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

Proposed Development is for the construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary (Planning Ref: 22/165) to the existing ESB owned Cauteen 110kv Substation.	
Proposed floor area of proposed works/uses: sqm	

5. Legal Interest of Applicant in the Land or Structure:

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner X	B. Occupier
	C. Other X	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>	Majority of the Proposed Development is located on local roads	
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: Address: 1. Carmel Hickey, Seskin, Co. Tipperary 2. Richard O'Doherty, Cauteen, Co. Tipperary 3. Patrick Rae, Gortdrum, Gortennerrig, Co. Tipperary	

Signature of Applicant(s) [REDACTED] (agent) Date: 26/03/2026

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.

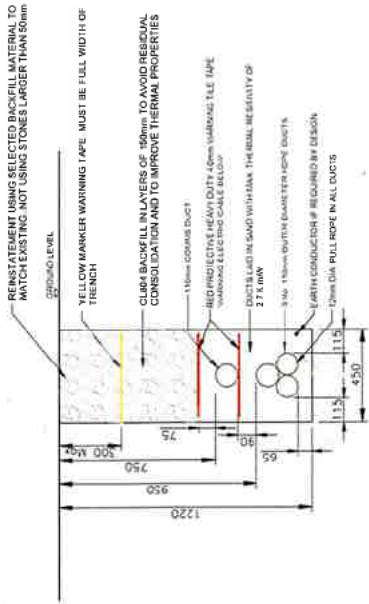
GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
- OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - Floor Plans & Elevations at a scale of not less than 1:200
 - Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - Other details e.g. brochures, photographs if appropriate.
- (All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

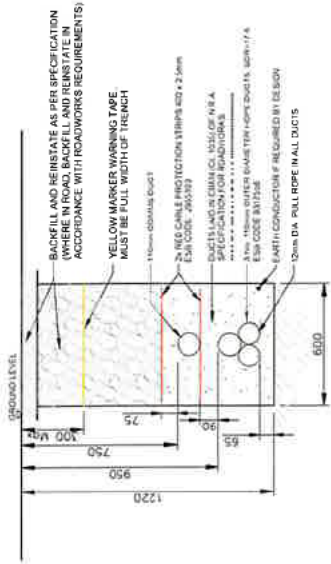
This application form and relevant fee should be submitted to:

Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	<u>OR</u>	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires:		
Telephone 0818 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY	
Fee Recd. € <u>80.00</u>	DATE STAMP TIPPERARY CO. COUNCIL RECEIVED 26 MAR 2026 PLANNING SECTION FILE NO. 55126/41
Receipt No <u>132128</u>	
Date <u>26/03/2026</u>	
Received by <u>D O'Brien</u>	



TYPICAL TRENCH DETAIL - PRIVATE LAND
38KV TREFOIL FORMATION

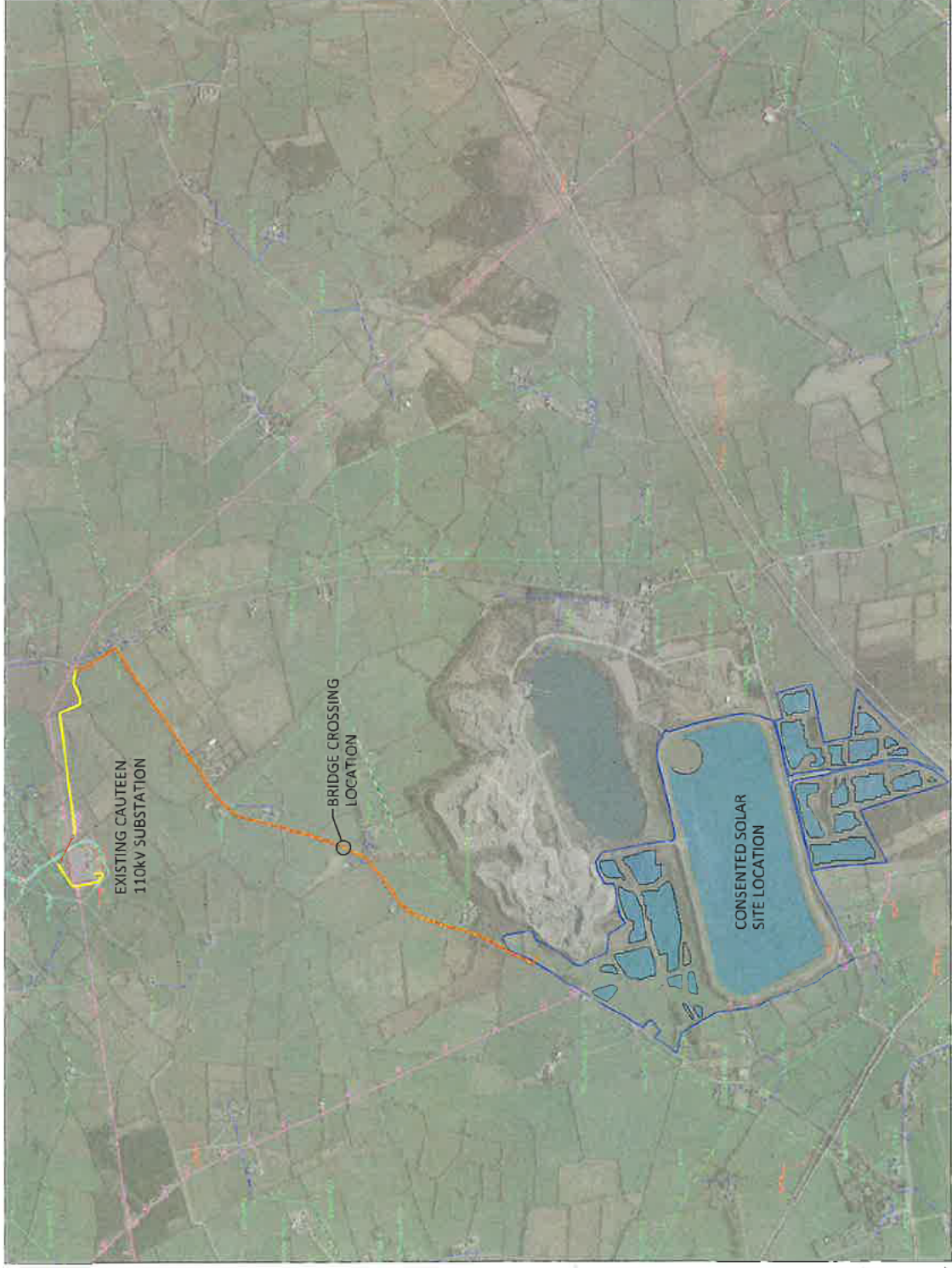


TYPICAL TRENCH DETAIL - PUBLIC ROAD
38KV TREFOIL FORMATION

TIPPERARY CO. COUNCIL
RECEIVED
26 MAR 2026
PLANNING SECTION
FILE NO. 25/26/41

		AFRY Ireland Ltd 100, North Wall Quay Dublin 1, Ireland Tel: +353 1 475 2000		PROJECT GORTDRUM GRID ROUTE	
DRAWN BY M. BROWNE CHECKED BY M. HOLOHAN	DATE 24/03/2026 DATE 24/03/2026	SCALE A3 DATE PRELIMINARY	SHEET TYPICAL 38KV TRENCH DETAILS	SHEET NO. GRIM 0004.1.1	
CHECKED BY M. BROWNE DATE 24/03/2026		DRAWN BY M. HOLOHAN DATE 24/03/2026		SHEET NO. GRIM 0004.1.1	

643201
589827



GORTDRUM CABLE ROUTE MAP
1:15,000



LOCATION KEY MAP
1:150,000

LEGEND

- PROPOSED 38KV CABLE ROUTE**
- 38KV CABLE ROUTE - PUBLIC ROAD
- 38KV CABLE ROUTE - PRIVATE LAND
- 38KV CABLE ROUTE - PRIVATE LAND (DIRECTIONAL DRILLING REQUIRED)
- EXISTING ESB NETWORKS**
- Existing HV OHL Network shown thus
- Existing HV UGC Network shown thus
- Existing MV/LV OHL Network shown thus

TIPPERARY CO. COUNCIL
RECEIVED
26 MAR 2026
PLANNING SECTION
FILE NO. 55126/41

PROJECT		CLIENT		DRAWN BY		CHECKED BY		DATE	
GORTDRUM GRID ROUTE		AFRY Ireland Ltd. Energy & Building Services 200, Canal Quay Dublin 1 Tel: +353 (0)1 453 2031		M. BROWNE		L. POWER		26/02/2026	
GRID ROUTE LOCATION MAP		SCALE: 1:15,000		M.B.		L.P.		27/02/2026	
A		PRELIMINARY		FIRST ISSUE		DETAILS		REV. DATE	
GRM d003.1.1		A3		26/02/2026		26/02/2026		A	
A		PRELIMINARY		26/02/2026		26/02/2026		A	

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March 2026

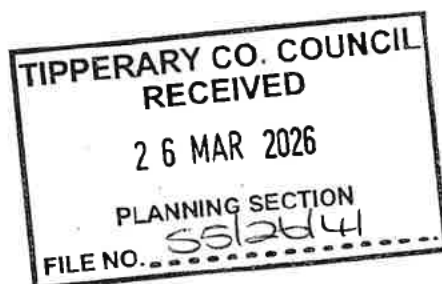
Appropriate Assessment – Stage 1: Screening Report

Proposed Underground Grid Connection

at

Gortdrum, Co. Tipperary

On behalf of
Ballin Solar Ltd.



MALONE O'REGAN



Ground Floor – Unit 3
Bracken Business Park
Bracken Road, Sandyford
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Title: Appropriate Assessment – Stage 1: Screening Report, Proposed Underground Grid Connection, Ballin Solar Ltd., Gortdrum, Co. Tipperary

Job Number: E1597

Prepared By: Sophie Keating

Signed:

Checked By: Kathryn Broderick

Signed:

Approved By: Kevin O'Regan

Signed:

Revision Record

Issue No.	Date	Description	Remark	Prepared	Checked	Approved
01	26/03/26	AA Screening Report	Final	SK	KB	KOR

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Appropriate Assessment – Stage 1: Screening Report
Proposed Underground Grid Connection
Ballin Solar Ltd.
Gortdrum, Co. Tipperary

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Appendix A – Site Layout

1 INTRODUCTION

Malone O'Regan Environmental ('MOR Environmental') was commissioned by Ballin Solar Ltd. ('the Applicant') to undertake an Appropriate Assessment Stage 1: Screening Report ('AA') to assess the potential adverse effects, if any, of the Proposed Underground Cable ('UGC') grid connection that will transmit power from the permitted Solar photovoltaic ('PV') development substation at Gortdrum, Co. Tipperary (OS Reference ITM 586800 640616) (Planning Ref.:22/165) ('Permitted Development') to the existing ESB Network Substation known as 'Cauteen 110kV Substation,' located circa ('ca.') 1.5km north from the Permitted Development (the 'Proposed Development') on nearby sites with European conservation designations (i.e., European Sites).

The Proposed Development will be ca. 3.05km in length and will traverse the townlands of Seskin, Cauteen, Barnanalleen, Lisheennamalaus and Ballyryan East, Co. Tipperary, ca. 6km northwest of Tipperary ('the Site'). The location of the Site is shown in Figure 1-1.

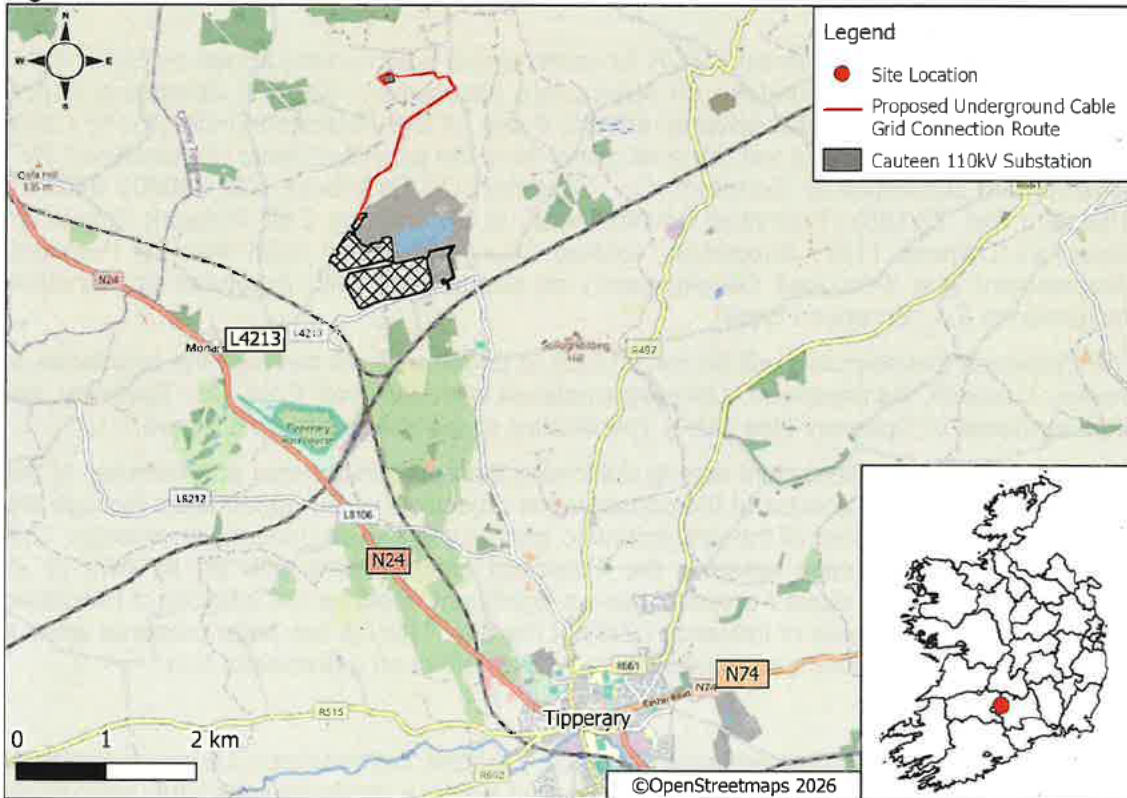
The purpose of this assessment was to determine the appropriateness, or otherwise, of the proposed works in the context of the conservation objectives of European Sites through the research and interpretation of the best scientific, geographic and engineering knowledge. This report seeks to determine whether the Proposed Development will, on its own or in combination with other plans / projects, have a significant effect on the integrity of European Sites within a defined zone of influence ('Zol') of the Site. This AA has been prepared without considering measures intended to avoid or reduce an effect on a European Site.

1.1 Site Location

The Site is located within the townlands of Seskin, Cauteen, Barnanalleen, Lisheennamalaus and Ballyryan East, Co. Tipperary, and is situated within a predominantly rural agricultural landscape. The UGC is located within existing road infrastructure, along with a small section within agricultural grassland.

The Proposed Development will transmit power from the permitted solar PV development substation (Planning Ref.:22/165) to the existing ESB-owned Cauteen 110kV substation located ca. 1.5km north of the Site boundary.

Figure 1-1: Site Location



1.2 The Applicant

Ballin Solar Limited is a joint venture between Nordic Solar A/S and Summit Solar Limited.

Nordic Solar is a Danish IPP headquartered in Copenhagen. With more than 15 years of experience in the renewable energy sector, Nordic is a vertically integrated player in the European renewable energy market, operating across the entire value chain, from securing land rights and permits, through engineering, procurement and construction, to storage and the sale of power. The company is active in 13 markets, has an operational portfolio of 663MW, 239MW under construction and a development portfolio of +3000MW, including +700MW in Ireland.

Summit Solar Limited is an Irish solar development company with success in developing more than 500MW of projects in Ireland, at the pre- and post-RTB stage.

1.3 Background

A Section 5 application was previously submitted to Tipperary County Council ('TCC') by Summit Solar Ltd. under reference no. S5/23/29 on 26th April 2023. The application was in relation to the following works:

'Construction of underground cable (UGC) grid connection that will transmit power from the permitted Solar PV development substation at Gortdrum, Co. (Planning Ref.:22/165) to the existing ESB owned Cauteen 110kV Substation in the townlands of Ballyryan East, Gortdrum, Lisheenamalausa, Barnanalleen, Cauteen, Reaskavalla and Seskin, Co Tipperary'

This application consisted entirely of underground cables, which would be cabled from the Permitted Development along unnamed local roads before accessing the existing ESB substation. On 2nd May 2023, Tipperary County Council concluded that the proposal presented

in the declaration constituted 'development' within the meaning of the Planning and Development Act 2000, as amended and is 'exempted development'.

Further to this declaration and following consultation with ESB, the cable route connecting the Permitted Development to the existing Cauteen ESB substation has been re-evaluated, resulting in amendments to the proposed UGC. The Proposed Development will therefore consist of:

- The proposed UGC will also consist entirely of underground cables and will be cabled from the permitted 38kV substation;
- The UGC will follow the unnamed local road for ca. 1.9km in a northerly direction; and,
- At this point, the proposed UGC will traverse private agricultural land in a westerly direction for ca. 635m before connecting to the existing ESB substation.

This revised route minimises the overall length of cabling required along the public road network.

1.4 Statement of Authority

This report was reviewed and approved by Ms Kathryn Broderick, Principal Consultant - Ecologist. Kathryn has over 10 years of experience working in the ecological consultancy sector. As part of her role, Kathryn is required to undertake habitat surveys and appraisals as well as specialist-protected species surveys in support of Ecological Impact Assessments and Appropriate Assessments. Kathryn has also completed a diploma in Environmental Law and Planning, which had a focus on Environmental Impact Assessments ('EIA') and AAs, which has provided her with a comprehensive understanding of the legal context and requirements of these types of assessments.

1.5 Regulatory Context

The following guidance documents were adhered to for the preparation of this AA report:

- Office of the Public Regulator ('OPR') Practice Note PN01, *Appropriate Assessment for Screening for Development Management*, The Office of the Planning Regulator [1];
- *Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, European Commission [2];
- *Guidelines for Ecological Impact Assessment in the UK and Ireland*, Chartered Institute of Ecology and Environmental Management [3];
- *Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC*, European Commission [4];
- *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities*, DoEGLH [5]; and,
- *Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10*, DoEHLG [6].

This AA was prepared in accordance with and in compliance with the following legislation:

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna, better known as 'The Habitats Directive'. The Habitats Directive provides the legal framework for the protection of habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of community interest through

the establishment and conservation of an EU-wide network of sites known as Natura 2000. The Habitats Directive was transposed into Irish law by the Planning and Development Act 2000 (as amended) and the European Communities (Birds and Natural Habitats) Regulations (S.I. 477 / 2011) (as amended) [7].

For completeness, the Planning and Development Act 2000 (as amended) states that "European site" means a site with one of the following designations:

- a. Site of Community Importance ('SCI');
- b. Candidate site of Community Importance ('cSCI');
- c. Special Area of Conservation ('SAC');
- d. Candidate Special Area of Conservation ('cSAC'); or,
- e. Special Protection Area ('SPA').

SACs are designated under the Habitats Directive, while SPAs are designated under the Conservation of Wild Birds Directive (79/409/EEC as amended 2009/149/EC) (better known as "The Birds Directive"). The Birds Directive was transposed into Irish law through the Planning and Development Act 2000 (as amended) and S.I 477 / 2011 [7].

Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect European sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment.

"Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public".

1.5.1 The Mitigation Hierarchy

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. First, the project should aim to avoid any negative impacts on European sites by identifying possible impacts early in the planning stage and designing the project in order to avoid such impacts. Second, if necessary, mitigation measures should be applied during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, it must be rejected unless it follows the process established under Article 6(4). If the project is required for imperative reasons of overriding public interest (IROPI test) under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effects.

1.6 Stages of Appropriate Assessment

There are four distinct stages to undertaking an AA, as outlined in the current European Union ('EU') and Department of Environment, Heritage and Local Government ('DoEHLG') guidance [2], [5]:

Stage 1: Screening

This process identifies the potential impacts of a plan or project on European sites, either alone or in combination with other plans and projects and considers whether these impacts

are likely to be significant. If potentially significant impacts are identified, the plan or project cannot be screened out of formal assessment and must proceed to Stage 2.

Stage 2: Appropriate Assessment

Where potentially significant impacts are identified, an assessment of the potential mitigation of those impacts is required. This stage considers the appropriateness of those mitigation measures in the context of maintaining the integrity of the European sites. If potential significant impacts cannot be eliminated with appropriate mitigation measures, the assessment must proceed to Stage 3.

Stage 3: Assessment of Alternative Solutions

This process examines alternative ways to achieve the objectives of the plan or project that avoid adverse impacts on the integrity of the European sites (if mitigation measures are deemed insufficient).

Stage 4: Imperative Reasons of Overriding Public Interest ('IROPI')

Where no practical alternative exists, this stage examines whether there are Imperative Reasons of Overriding Public Interest ('IROPI') that would mean the plan or project should still proceed despite adverse impacts remaining. Projects that fall under IROPI will require an assessment of compensatory measures. If there are no IROPI or if compensation is not feasible, the project or plan cannot proceed.

2 SCREENING FOR APPROPRIATE ASSESSMENT

Screening determines whether AA is necessary by examining the following:

1. Whether a plan or project can be excluded from AA requirements because it is directly connected with, or necessary to, the management of a European site; or,
2. Whether the project will have a potentially significant effect on a European site, either alone or in combination with other projects or plans, in view of the site's conservation objectives.

Screening involves the following elements:

- i) Description of a plan or project;
- ii) Identification of relevant European sites and compilation of information on their qualifying interests and conservation objectives;
- iii) Assessment of likely effects – direct, indirect and cumulative – undertaken on the basis of available information as a desk study, field survey or primary research as necessary; and,
- iv) The production of a Screening Statement with conclusions.

2.1 Methodology

2.1.1 Determining Zone of Influence

The starting point for this assessment was to determine the Zol. The Zol comprises the geographic area in which the Proposed Development may potentially affect the conservation objectives (or qualifying interests) of a European site.

Guidance in AA of plans and projects in Ireland notes that a buffer distance of 15km from the location of the development site being assessed is recommended for the identification of relevant European sites [5]. However, guidance from the National Parks and Wildlife Service ('NPWS') recommends that the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects (cumulative) [6]. For some projects, the distance could be greater than 15km, and in some cases, less than 100m.

Defining the Zol for the Proposed Development includes evaluating the following:

- Identification of the European sites that are situated within, in close vicinity, or downstream within the zone of influence of the Proposed Development;
- Identification of the designated habitats and species and Conservation Objectives for the identified European sites;
- Identification of the environmental conditions that stabilise and increase the qualifying interests of the European sites towards favourable conservation status;
- Identification of the threats / impacts – actual or potential that could negatively impact the conservation objectives for the European sites;
- Identifying the activities of the proposed works that could give rise to significant adverse impacts; and,
- Identification of other plans or projects for which in-combination impacts would likely have significant adverse effects.

2.1.2 Source-Pathway-Receptor Model

European sites are only at risk from significant effects where a source-pathway-receptor link exists between a proposed plan and European sites. This can take the form of a direct impact (e.g. where the Proposed Development is located within / in close vicinity to the boundary of a European site), or an indirect impact where impacts are outside of the European site but affect ecological receptors within it (e.g. impacts to water quality which can affect estuarine habitats at a large distance from the impact source).

The likely effects of the Proposed Development on any European site have been assessed using a source-pathway-receptor model [8, 9]. The model comprises the following:

- A *source*: Any potential impacts from the Proposed Development, e.g. the runoff of sediment / construction pollution;
- A *pathway*: The means or route by which a source can affect the ecological receptor; and,
- A *receptor*: The qualifying interests and / or special conservation interests of the European sites.

In order to establish the Zone of Influence of the Proposed Development, the likely key environmental impacts / changes associated with the Proposed Development were determined, having regard to the project characteristics set out in Section 3.3 of this report. The Zol for various potential impact pathways are discussed in Section 4.1.

2.1.3 Desk-Based Studies

A desk-based review of information sources was completed, which included the following sources of information:

- Review of aerial maps of the Site and surrounding area;
- The NPWS website was consulted with regard to the most up-to-date details on conservation objectives for the European Sites relevant to this assessment [10];
- The National Biodiversity Data Centre ('NBDC') website was consulted with regard to species distributions [11];
- The Environmental Protection Agency ('EPA') Maps website was consulted to obtain details about watercourses in the vicinity of the Site [12];
- The Tipperary County Council Planning Portal to obtain details about existing / proposed developments in the vicinity of the Site [13]; and,
- The Department of Housing, Local Government and Heritage's planning portal – the National Planning Application Database was reviewed to obtain details about existing / proposed developments in the vicinity of the Site [14].

2.1.4 Field Survey

A Site walkover was undertaken on 24th September 2024, by a suitably qualified and experienced MOR Environmental Ecologist to assess the extent and the quality of habitats present on the Site and to identify any potential ecological receptors associated with the European Sites.

The habitat survey was undertaken for the Site utilising the Heritage Council's – 'A Guide to Habitats in Ireland' [15]. This is the standard habitat classification system used in Ireland and includes both a desk-based and field-based assessment.

The assessments were extended to also identify the potential for these habitats to support other features of nature conservation importance, such as species afforded legal protection under either Irish or European legislation.

2.1.4.1 Survey Limitations

A small section of the proposed UGC is located within the existing Cauteen 110kV substation and was inaccessible at the time the survey was completed. However, given the nature of the location surrounding the substation, it is not considered that this survey limitation will alter the findings of this assessment; therefore, no further surveys are considered necessary as part of the AA.

3 SITE CONTEXT AND DESCRIPTION

The proposed UGC is situated within a predominantly rural agricultural landscape within existing road infrastructure, along with a small section within agricultural grassland.

3.1 Watercourses within the Vicinity of the Site

The Site is situated within the Lower Shannon Water Framework Directive ('WFD') Catchment [Catchment_ID: 25D] and the Dead_SC_010 subcatchment [Subcatchment_ID: 25D_2] [12].

As per Environmental Protection Agency ('EPA') maps, there are four hydrological features of note within close proximity of the Site [12].

1. North Ballyryan Stream

The North Ballyryan stream bisects the UGC within the northern section of the Proposed Development. The North Ballyryan stream is located adjacent to the Site. The stream flows in a westerly direction and is a tributary of the Popes River, ca. 525m west of the Site at its closest point [12].

Under the Water Framework Directive ('WFD') 2000/60/EC, the EPA classifies the status and the risk of not achieving good water quality status for all waterbodies in Ireland [12]. According to the river waterbody WFD 2019-2024, the water quality within the North Ballyryan stream is considered to be '*poor*,' and the status of this river is considered '*at risk*' [12].

2. Lisheennamalausa Stream

The Lisheennamalausa stream runs directly adjacent to the northern section of the UGC and is crossed by the Proposed Development.

According to the EPA maps, the stream flows in a south-westerly direction before draining into the Popes River ca. 775m downstream of the Site [12]. During the Site walkover, the stream was identified as a damp drainage ditch with no standing or flowing water.

According to the river waterbody WFD 2019-2024, the water quality within the Lisheennamalausa stream is considered to be '*poor*,' and the status of this river is considered '*at risk*' [12].

3. Seskin 25 Stream

The Seskin 25 Stream is located to the north of the UGC and is crossed by the Proposed Development. This stream flows in a southerly direction, ca. 95m downstream, before draining into the Lisheennamalausa stream [12].

According to the river waterbody WFD 2019-2024, the water quality within the Seskin 25 stream is considered to be '*poor*,' and the status of this river is considered '*at risk*' [12].

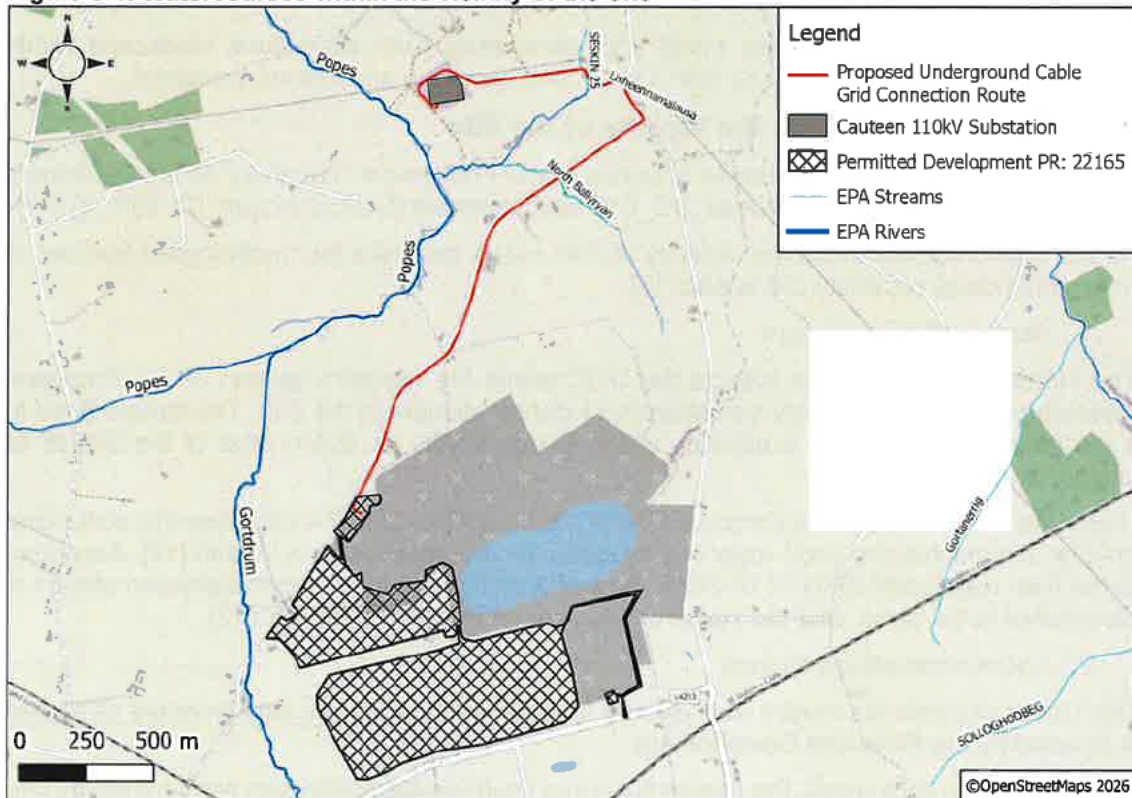
4. Popes River

The Popes River is located ca. 115m west of the Site, at its closest point. The Popes River flows in a northeasterly direction for ca. 1.45km. After this point, the Popes River discharges into the Dead River. The Dead River flows in a northwesterly direction for ca. 6.8km and joins the Cahermahallia River, which forms part of the Lower River Shannon SAC, ca. 10.6km from the Site [12]. The UGC **does not** traverse this watercourse.

According to the river waterbody WFD 2019-2024, the water quality within the Popes River is considered to be '*poor*,' and the status of this river is considered '*at risk*' [12].

The location of the key surface water features in the vicinity of the Site is illustrated in Figure 3-1.

Figure 3-1: Watercourses within the vicinity of the Site

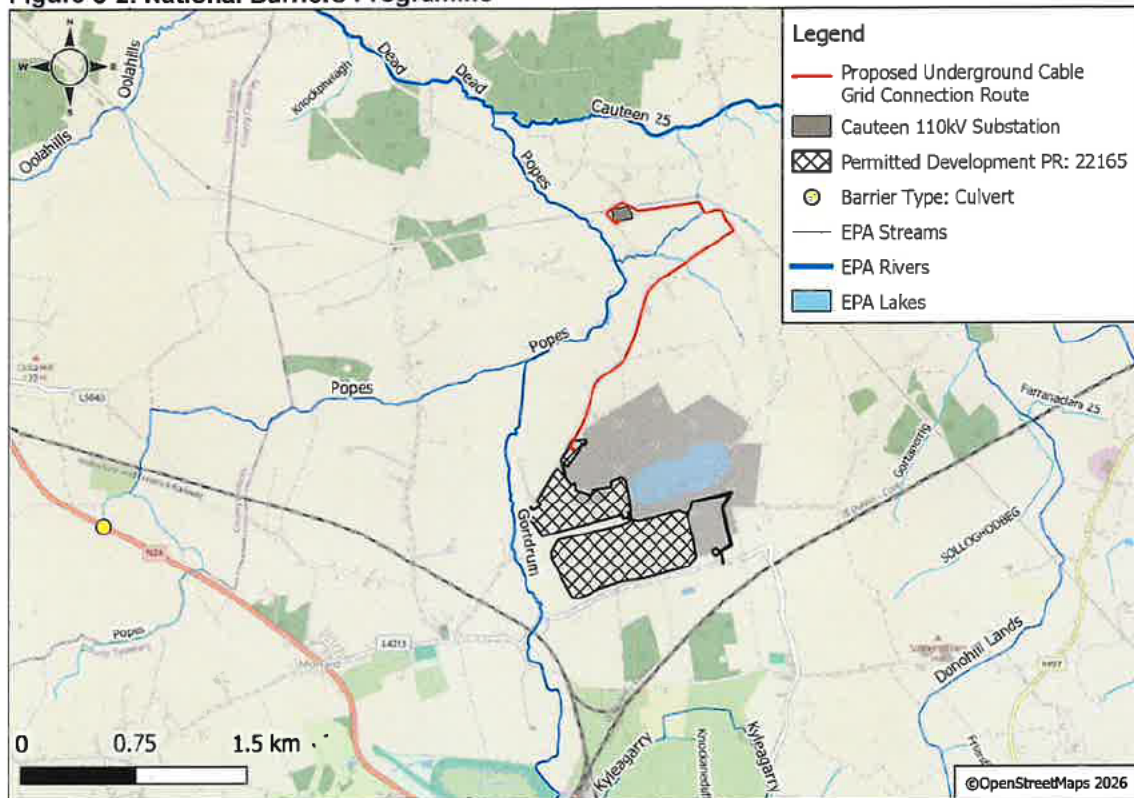


3.1.1 National Barriers Programme

Irish rivers are heavily fragmented by weirs, dams, sluices, culverts, bridges and other artificial barriers. Therefore, the National Barriers Programme ('NBP') database was created as a national database of potential barriers to fish passage and includes assessing structures which can impact both fish passage and hydro morphology [16].

As per the NBP database, there is one barrier in the Popes River, ca. 5.3km upstream of the Site. This was identified as a culvert, and it was assessed that it does not act as a barrier. See Figure 3-2 below.

Figure 3-2: National Barriers Programme



3.1.2 OPW Drainage Maps

The Office of Public Works ('OPW') Flood Maps identifies Drainage Districts, Arterial Drainage Schemes and Benefited Areas [17]. Arterial Drainage Schemes were works carried out under the Arterial Drainage Act, 1945, to improve land for agriculture and mitigate flooding. The Benefited land identifies land that was drained as part of the Drainage District with the aim of improving land for agriculture and mitigating flooding.

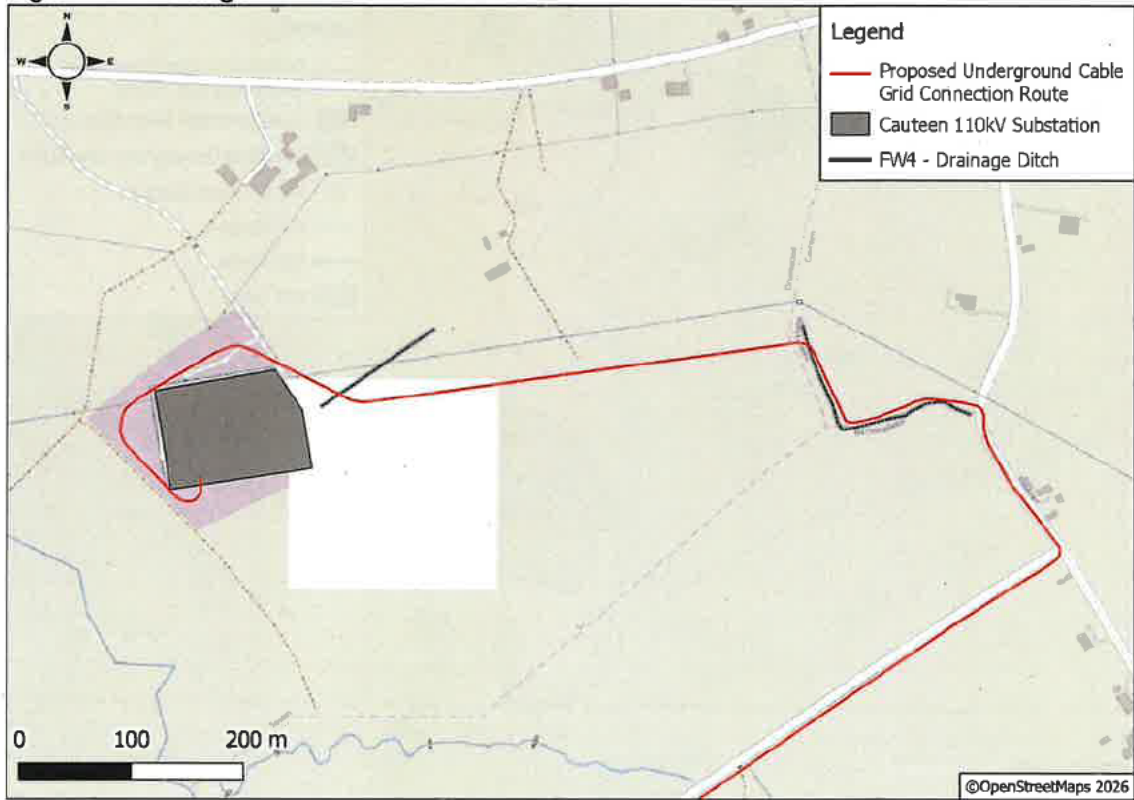
The Site does not form part of any of the benefited areas [17].

3.1.3 Drainage Ditches

During the Site walkover, several drainage ditches were noted on site, along the existing hedgerow / treelines adjacent to the northern section of the Site. The drainage ditches were located in close proximity to the Lisheenmalausa and Seskin 25 streams. At the time of the survey, these drainage ditches were recorded as damp and dry drainage ditches. No discernible level or flow of water was identified. Please refer to Figure 3-3.

It should be noted that these drainage ditches are not designated as part of a Drainage District or Arterial Drainage Scheme [17].

Figure 3-3: Drainage Ditches in the northern section of the Site



4 PROPOSED DEVELOPMENT

4.1 Proposed UGC

The Proposed Development will involve the construction of a 33kV single circuit underground cable, ca. 3.05km in length, which will connect the Permitted Development with the existing ESB-owned Cauteen 110kV substation.

The Proposed Development will consist entirely of underground cables and will be cabled from the permitted 38kV substation along the unnamed local road in a northerly direction. The UGC will traverse west along agricultural grasslands before accessing the existing ESB substation.

The works will consist of cable ducts to be installed in an excavated trench, typically 600mm wide by 1220mm deep, with variations on this design to adapt to any bridge crossings, service crossings and watercourse crossings. The power cable duct installations and the trench reinstatement will be in accordance with the local road authority within Tipperary County Council and will be installed on public roads. All works will be completed according to ESB specifications.

The proposed Site Layout is illustrated in Appendix A.

4.1.1 Stream Crossings

No in-river works will be required during the construction of the Proposed Development.

The North Ballyryan stream that will be crossed by the Proposed Development is culverted, and there is sufficient cover within the local road to accommodate the UGC ducting. The installation will be at a minimum depth cover of 450mm to accommodate the cable ducts, as per the ESB specifications. The ESB code of practice for crossing bridges will be followed during trenching and cabling works. Also, the permanent reinstatement of the road will be carried out to the specifications of the Local Authority.

The crossing of the Lisheenmalausa and Seskin 25 streams will be carried out using Horizontal Directional Drilling ('HDD'). This method will drill beneath the watercourses and will avoid any disturbance to these streams.

The methods used for the HDD will involve:

- A works area of ca. 40m² for the HDD entry side, and ca. 20m² on the HDD exit side, will be required for the HDD equipment and vehicles. These areas will be fenced off during the HDD implementation;
- The drilling rig and fluid handling units will be located on the entry side and will be appropriately bunded using sandbags, which will contain any fluid spills and stormwater runoff;
- Entry and exit pits (approximately 2m (w) x 3m (L) x 1m deep) will be excavated using an excavator, and the excavated material will be temporarily stored within the works area and used for reinstatement or disposed of at a licensed facility;
- The HDD pilot bore will be undertaken using a wireline guidance system. The assembly will be set up by the drilling team and the steering engineer;
- The pilot bore will be drilled to the pre-determined profile and alignment under the watercourse crossings;
- The steering engineer and drill team will monitor the drilling works to ensure that modelled stresses and pressures are not exceeded;
- The drilled cuttings will be flushed back by drilling fluid to the entry and exit pits and recycled for reuse;

- Once the first pilot hole has been completed, a hole-opener or back reamer will be fitted in the exit side, which will then be pulled back to the entry side as part of the pre-reaming / hole opening process to enlarge the hole to the correct size;
- When the pre-reaming / hole opening / hole cleaning has been completed, a reamer of a slightly smaller diameter than the final cut will be installed on the drill string to which the ducts will be attached for installation;
- The drilling fluid will be disposed of at a licensed facility;
- The ducts will be cleaned and proven, and their installed location surveyed;
- The entry and exit pits will be reinstated to the specification of ESB Networks and any requirements of TCC; and,
- A joint bay / transition chamber / transition coupler will be installed on either side of the road following the horizontal directional drilling as per ESB requirements.

4.2 Construction Procedures

4.2.1 UGC Construction Methodology

The UGC ducts will be installed and the trench reinstated in accordance with the Council's and landowner's requirements, where installed on private lands.

During the Construction Phase, the methods of working will comply with all relevant legislation and best practice guidelines in reducing the environmental adverse effects of the works. Although Construction Phase adverse effects are generally of a short-term duration and are localised in nature, the adverse effects will be reduced as far as practicable through compliance with current construction industry guidelines.

In support of the Road Opening Licence required for the Proposed Development, a Construction Environmental Management Plan ('CEMP') will be prepared by the appointed contractor and will be submitted to the planning authority in advance of works commencing at the Site. The following guidance will be referred to and will be followed during the Construction Phase of the Proposed Development to prevent water pollution that may occur within the area:

- C532 – Control of Water Pollution from Construction Sites. Guidance for Consultants and Contractors [18];
- C648 - Control of Water Pollution from Linear Construction Projects: Technical Guidance [19];
- C649 - Control of Water Pollution from Linear Construction Projects: Site Guide [20];
- C811 - Environmental Good Practice on Site (5th edition) [21];
- Guidance for the Treatment of Otters Prior to the Construction of National Road Schemes [22];
- Inland Fisheries Ireland ('IFI') – '*Requirements for the Protection of Fisheries Habitat during Construction and Development*' [23]; and,
- The recommendations included within National Roads Authority ('NRA') Guidelines for the crossing of watercourses [24].

Working hours will generally be restricted to between 08:00 to 20:00 hours Monday to Friday inclusive and between 08:00 to 18:00 hours on Saturdays. Construction work will not be permitted on Sundays, public holidays or at night-time except where safety concerns necessitate it or if agreed in advance with the Planning Authority.

The following measures will be incorporated and adhered to in order to ensure that the proposed works will not result in any contravention of wildlife legislation:

- All activities will comply with all relevant legislation and best practice to reduce any potential environmental impacts. The measures detailed within this report will be fully adhered to;
- In advance of works, all Site personnel will receive an induction which will include reference to measures in relation to protected species and measures to prevent the spread of invasive species;
- Should construction works be required outside of daylight hours, the appointed project Ecological Clerk of Works ('ECoW') will be consulted as required; and,
- If protected or notable species are encountered during operations at the Proposed Development, the ECoW will be contacted for advice.

5 IDENTIFICATION OF EUROPEAN SITES

In accordance with the European Commission Methodological Guidance [25], a list of European sites that could be potentially affected by the Proposed Development has been compiled. Guidance for Planning Authorities prepared by the Department of Environment, Heritage and Local Government ('DEHLG') [5] states that defining the likely zone of influence for the screening of a project or plan, and the approach used will depend on the nature, size, location and the likely significant effects of the project / plan. The key variables determining whether or not a particular European site is likely to be affected by a project are:

- The physical distance from the Site to the European site;
- The presence of impact pathways;
- The sensitivities of the ecological receptors; and,
- The potential for in-combination effects.

All SPAs and SACs within 15km have been considered to assess their ecological pathways and functional links. As acknowledged in the OPR guidelines [1], few projects have a zone of influence this large; however, the identification of European sites within 15km has become widely accepted as the starting point for the screening process.

There are seven European Sites located within 15km of the Site - these are identified in Figure 5-1 and Table 5-1.

Figure 5-1: European Sites within 15km of the Site

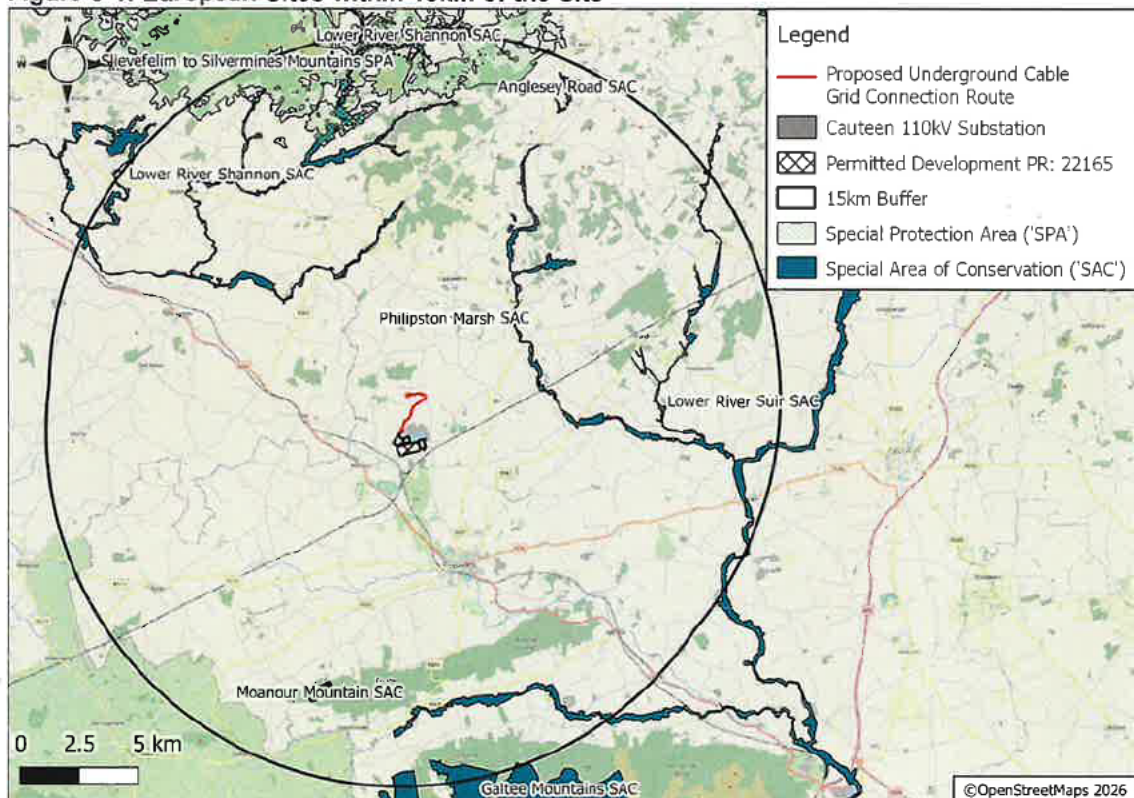


Table 5-1: European Sites within 15km of the Site

Site Name	Code	Distance (km)	Direction from the Site
Special Areas of Conservation ('SAC')			
Philipston Marsh SAC	001847	3.3km	NE
Lower River Suir SAC	002137	4.7km	E
Lower River Shannon SAC	002165	5.5km	NW
Manour Mountain SAC	002257	10.9km	SW
Anglesey Road SAC	002125	13.1km	NW
Galtee Mountains SAC	000646	13.8km	S
Special Protection Area ('SPA')			
Slievefelim to Silvermines SPA	004165	11.0km	N

The River Shannon and River Fergus Estuaries SPA is located over 45km downstream of the Site; however, a hydrological connection was identified via the Seskin 25, Lisheennamalaus and North Ballyryan streams. Given this potential impact pathway, further consideration will also be given to this European Site in Section 5.1 below.

5.1 Identification of European Sites within Zol

The Zol comprises the area in which the Proposed Development may potentially affect the conservation objectives (or qualifying interests) of a European site. The definition of Zol for the proposed works evaluated multiple factors as outlined in Section 2.1 and discussed below. Please note that the extent of Zol differs for different environmental aspects, e.g. air, water, etc.

5.1.1 Habitat Loss / Degradation

The following section provides details of the field-based assessment that was undertaken for the Site on 24th September 2024. A description of the habitats and features of ecological significance is outlined below and illustrated in Figure 5-2.

Buildings and Artificial Surfaces - Roads (BL3)

The Proposed UGC predominantly comprised existing road infrastructure. There were no species of note recorded within this habitat.

Improved Agricultural Grassland (GA1)

The UGC will traverse a section of agricultural grassland within the northwestern section of the Site. This habitat was species-poor and predominantly comprised perennial ryegrass (*Lolium perenne*), clover (*Trifolium sp.*) and ribwort plantain (*Plantago lanceolata*).

Sections of the agricultural grassland were wetter in nature. The species recorded included perennial ryegrass, common rush (*Juncus effusus*), creeping buttercup (*Ranunculus repens*) and field buttercup (*Ranunculus acris*).

Hedgerow / Treeline (WL1 / WL2)

The Proposed Development will cross existing hedgerow / treelines in four separate sections. The species present in the hedgerow / treelines were hawthorn (*Crataegus monogyna*), bramble (*Rubus fruticosus*), dog rose (*Rosa canina*), blackthorn (*Prunus spinosa*), elm (*Ulmus*

procera), holly (*Ilex aquifolium*), grey willow (*Salix cinerea*), ash (*Fraxinus excelsior*), ivy (*Hedera helix*) and crab apple (*Malus sylvestris*).

The understory consisted of ivy, soft shield fern (*Polystichum setiferum*), stinging nettle (*Urtica dioica*), hairy willowherb (*Epilobium hirsutum*) and common rush.

Lowland / Depositing Stream / Drainage Ditches (FW2/ FW4)

As outlined in section 3.1, the Seskin 25 and Lisheennamalaus streams traverse the northern extent of the Proposed UGC [12]. However, during the Site visit, these streams presented as drainage ditches as detailed below.

One drainage ditch ran parallel to the northeastern section of the Site. This drainage ditch was muddy and heavily vegetated, with no water flow observed. The species present included common rush, marsh bedstraw (*Galium palustre*), creeping buttercup, stinging nettle, meadowsweet (*Filipendula ulmaria*), Yorkshire fog (*Holcus lanatus*), perennial ryegrass and field horsetail (*Equisetum arvense*).

A second drainage ditch was also identified, bisecting the field west of the Cauteen 110kV substation, within the northwestern section of the Site. This drainage ditch was vegetated with common rush, grasses (*Poaceae spp.*), bramble and creeping buttercup. No water flow was observed.

See Figure 5-3 for locations of lowland / depositing stream / drainage ditches on the habitat map.

Figure 5-2: Overall Habitat Map

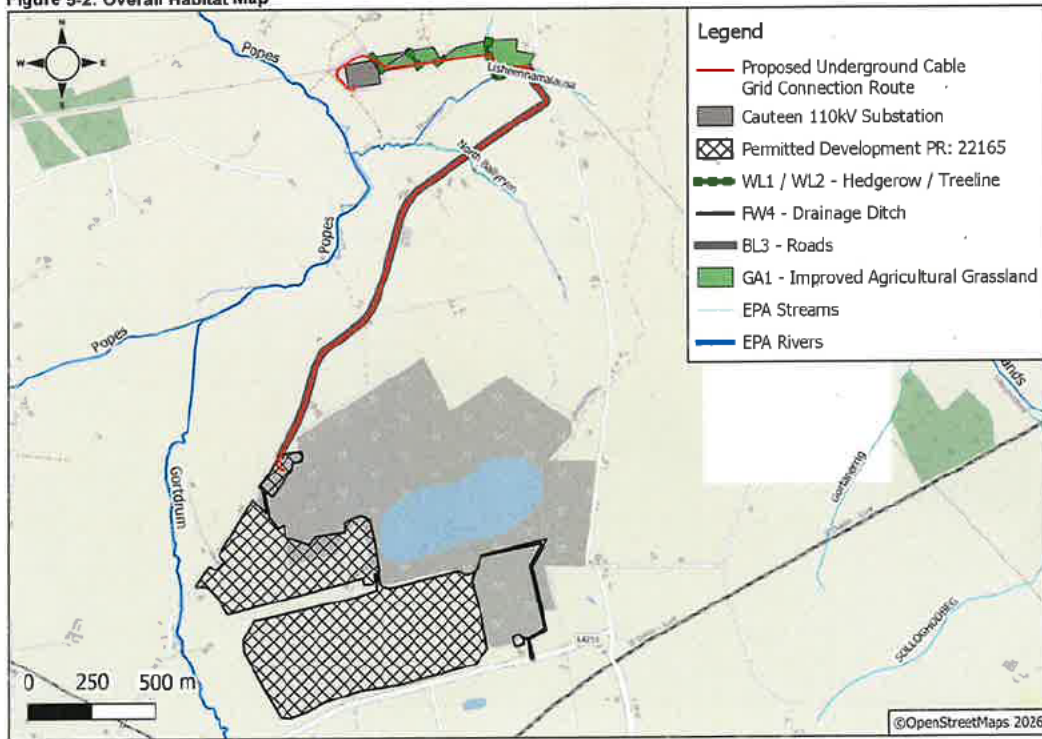
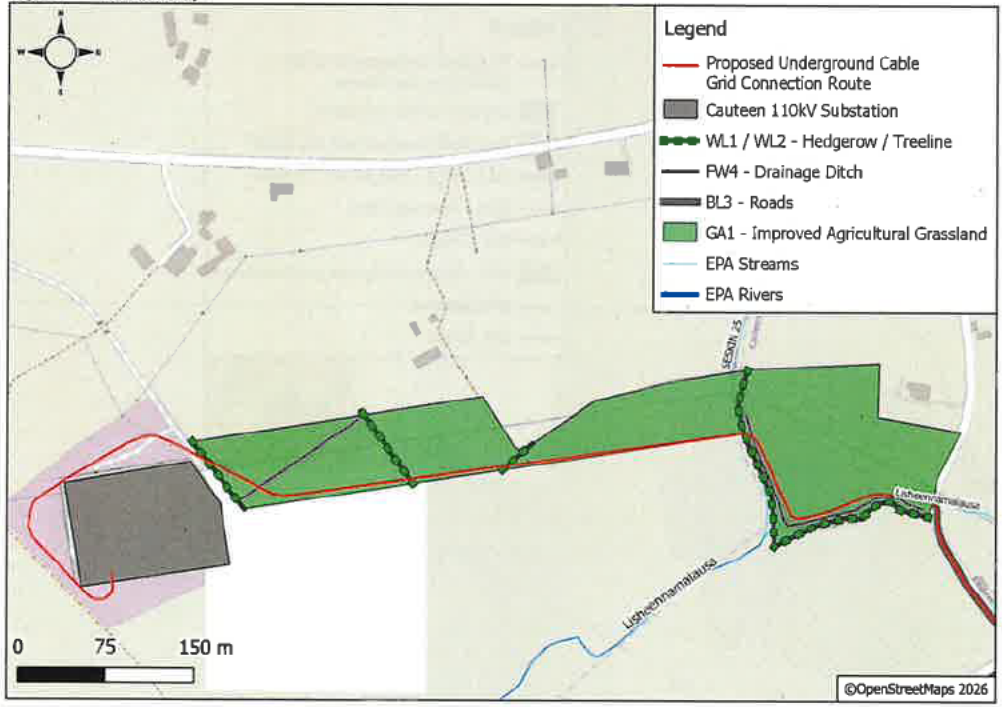


Figure 5-3: Habitat Map



The Site is not located in or adjacent to any European sites. No designated habitats were identified within or adjacent to the Site.

In addition, the on-site habitats, predominantly comprising hardstanding, are considered unsuitable for designated species, while areas of agricultural grassland are of low ecological value. No permanent impacts on on-site habitats are anticipated as a result of the Proposed Development. All temporary disturbances associated with UGC installation, including trenching works, will be fully reinstated and restored to pre-construction condition following completion of the works.

Furthermore, due to the nature of the Proposed Development, which is an underground grid connection, there is no potential for the Proposed Development to result in any adverse effects on any species during the Operational Phase.

Therefore, it is concluded that there will be no impacts associated with direct designated habitat loss or degradation as a result of the Proposed Development, given the distance separating the Site from the European sites.

5.1.2 Water Quality Impairment

Potential water quality impacts associated with the release of sediment and other pollutants to surface water during the Construction and Demolition Phases of the Proposed Development are possible. Therefore, the Zol would be considered to include the receiving waterbodies adjacent to and downstream of the Site during the Construction Phase within 5km.

As outlined in Section 3.1 and Table 5-2 below, no direct hydrological connection was identified between the Site and any EPA watercourses, or between the Site and Lower River Suir SAC, Manour Mountain SAC, Anglesey Road SAC, Galtee Mountains SAC, Philipston Marsh SAC or Slievefelim to Silvermines SPA.

As outlined in Section 4.1.1, the North Ballyryan stream, the Lisheenmalausa and Seskin 25 streams will be crossed as part of the development. These watercourses are tributaries of the Popes River, which eventually discharges into the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA, ca 10.6km and 45km downstream of the Site, respectively.

Therefore, there is potential that, should pollutants flow from the Site into the river network, this could lead to the deterioration of local water quality and indirectly adversely affect the downstream food supply for designated species.

Figure 5-4: Hydrological Connection between the Site and the Lower River Shannon SAC

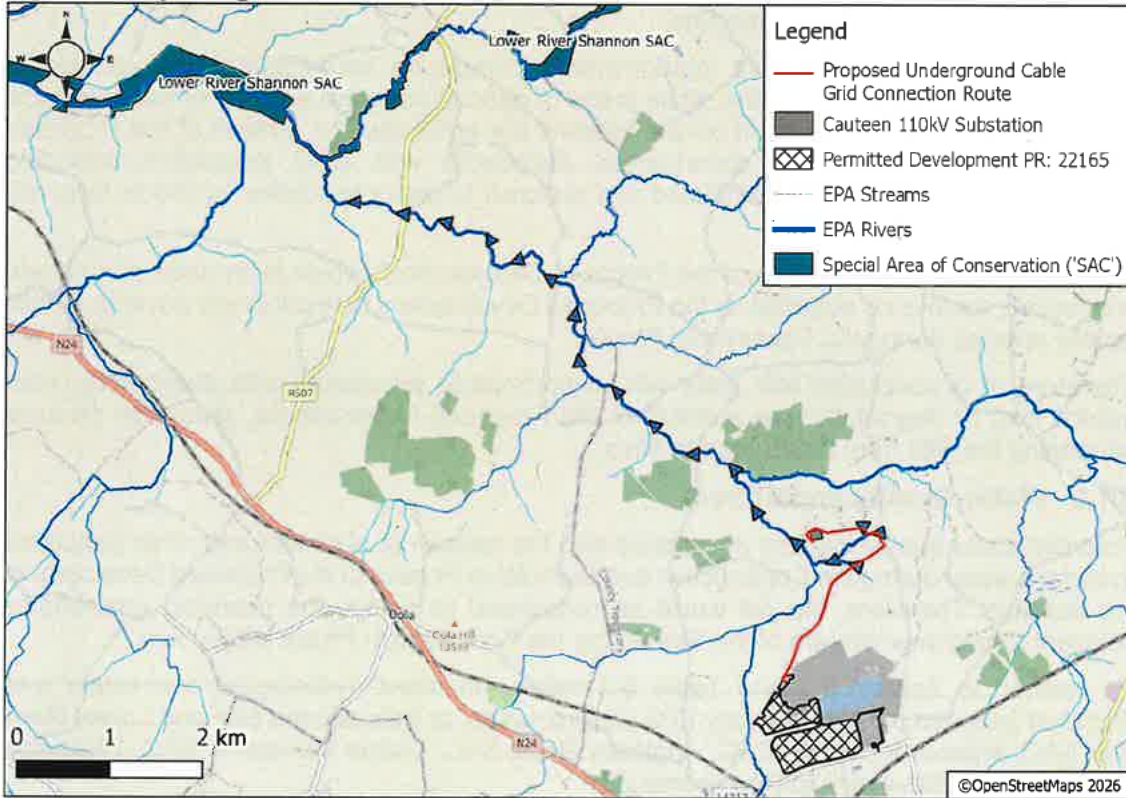


Table 5-2: European sites within 15km

Site Name	Hydrological Connection
Special Areas of Conservation ('SAC')	
Philipston Marsh SAC	No direct hydrological connection
Lower River Suir SAC	No direct hydrological connection
Lower River Shannon SAC	10.6km downstream
Manour Mountain SAC	No direct hydrological connection
Anglesey Road SAC	No direct hydrological connection
Galtee Mountains SAC	No direct hydrological connection
Slievefelim to Silvermines SPA	No direct hydrological connection
River Shannon and River Fergus Estuaries SPA	45km downstream

However, it is considered that, given the downstream flow distance and combined dilution factor from the additional tributaries discharging into the river network between the Site and the River Shannon and River Fergus Estuaries SPA, it is highly unlikely that any significant effects could occur. It can, therefore, be objectively concluded that there will be no likely significant effects on the River Shannon and River Fergus Estuaries SPA without taking measures into account, and as such, this SPA has been screened out from further consideration.

Furthermore, it is considered highly unlikely that pollutants could impact on the water quality of the Lower River Shannon SAC based on:

- The nature of the Proposed Development works;
 - The North Ballyryan stream is culverted, and there is sufficient cover within the local road to accommodate the UGC ducting; and,
 - The crossing of the Lisheenmalausa and Seskin 25 streams will be carried out using HDD. This method will drill beneath the watercourses and will avoid any disturbance to these streams.
- All works will be confined to the Site;
- No in-river works will be undertaken;
- No direct discharges from the Proposed Development to any watercourse will occur during the Construction or Operational Phases;
- Seven additional tributaries were identified prior to discharging into the Lower Shannon River SAC, over a downstream distance of 10.6km. It is therefore considered highly unlikely that any potential pollutants will be diluted within the watercourse or that pollutants, such as sediment, will settle to the bottom of the watercourse;
- Based on the NBDC records checked on 10th March 2026, no records for designated species under the Lower River Shannon SAC within a 2km grid (R84V, R84L, R84K, R84Q, R84R, R84S and R84W) of the Site within the last 10 years; and,
- Furthermore, species such as otter are highly mobile and therefore will move away from disturbances.

In addition, all works will be carried out in accordance with best practice guidelines. Appropriate measures in relation to the storage of fuels and other materials and general Site maintenance will be implemented on the Site, including the refuelling of vehicles, the addition of hydraulic oil / lubricants to vehicles and the storage of hazardous construction materials, which shall take place in designated bunded areas. Pollution control kits will also be maintained on the Site, and all Site personnel will be trained in their use and made aware of their location.

Taking the above into account, it can be objectively concluded that the Proposed Development will not result in any likely significant effects on the European Sites and their designated habitats / species, without taking mitigation measures into account; as such, impacts associated with water quality impairment have been screened out from further consideration.

5.1.3 Air Quality Impairment

According to the Institute of Air Quality Management ('IAQM') Guidelines, potential adverse effects from dust arising from construction to ecological receptors occur within 50m of a construction Site [26]. Other construction-related emissions, including vehicle exhaust emissions and emissions from plant and machinery, are typically short-term, localised and of low magnitude, and are therefore unlikely to result in significant effects on ecological receptors beyond the immediate vicinity of the site.

All European Sites are located over 3km from the Site.

It can be concluded that the Proposed Development does not require a detailed dust assessment. On this basis, significant effects on European sites arising from impacts on air quality are highly unlikely, and air quality is therefore screened out of Appropriate Assessment.

5.1.4 Noise / Disturbance

Noise from the construction activity has the potential to cause disturbance to resting, foraging and commuting qualifying species of the European Sites. As there will be no piling or in-river works required for the Proposed Development, there is no potential for underwater noise impacts beyond the immediate vicinity of the Site.

Individual species will provoke different behavioural responses to disturbances at different distances from the source of disturbance.

- Transport Infrastructure Ireland (formally the National Roads Authority) has produced a series of best practice planning and construction guidelines for the treatment of certain protected mammal species (i.e. otter), which indicate that disturbance to terrestrial mammals would not extend beyond 150m [22]; and,
- Studies have noted that different types of disturbance stimuli are characterised by different avifaunal reactions; however, in general, a distance of 300m can be used to represent the maximum likely disturbance distance for waterfowl [27].

The Zol for noise / disturbance is therefore established as the Site with a 300m buffer.

All identified European sites are located well outside of this Zol. Furthermore, there are no on-site habitats present suitable for any of the designated bird species, as the Site lacks appropriate nesting and foraging features.

However, the Seskin 25 stream, Lisheennamalaus stream and North Ballyryan stream are hydrologically connected to the Lower River Shannon SAC, which supports otter as a qualifying interest. Otter are predominantly found in aquatic habitats along rivers and estuaries and have the ability to disperse from water. Female otter territories can be up to ca. 7.5km in length, and male otter territories can be up to ca. 13.2km in size [27]. Therefore, there is potential for this species to disperse outside of the SAC boundary and utilise the watercourses within proximity of the Site.

Notwithstanding this, it is considered highly unlikely that noise arising from the Proposed Development would result in disturbance to otters within the Seskin 25 stream, Lisheennamalaus stream and North Ballyryan stream or the wider receiving environment. This conclusion is based on the following:

- The Seskin 25 stream, Lisheennamalaus stream and drainage ditches onsite were noted as damp / dry with no flow of water. Therefore, it was concluded that these watercourses were not suitable for otter;
- All works will be confined to the Site, which is entirely terrestrial and unsuitable for this species;
- No in-river works will be undertaken;
- The Lower River Shannon SAC is located 10.6km from the Site;
- Based on the NBDC records checked on 10th March 2026, no records for designated species under the Lower River Shannon SAC within a 2km grid (R84V, R84L, R84K, R84Q, R84R, R84S and R84W) of the Site within the last 10 years; and,
- Furthermore, species such as otter are highly mobile and therefore will move away from disturbances.

Therefore, it can be concluded that no impacts associated with noise or disturbance will occur as a result of the Proposed Development, and the European sites have been scoped out for further consideration in relation to potential noise impacts.

5.1.5 Invasive Species

No high-impact invasive species (including those that are regulated under the European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374/2024) [28] were recorded within the Site. Therefore, no impacts associated with the spread of invasive species as a result of the Proposed Development are anticipated.

5.2 Zol Conclusion

The Site is not located within or directly adjacent to any European sites, and the nearest European site is located ca. 10.6km away from the Site.

Given the distance separating the Site from European Sites and the lack of impact pathways, it is considered that the Proposed Development will not result in significant effects to these European sites, and they have therefore been screened out from further consideration.

5.3 Conservation Objectives

European and national legislation places a collective obligation on Ireland and its citizens to maintain a favourable conservation status at candidate and European sites. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

According to the EU Habitats Directive, favourable conservation status of a habitat is achieved when the following conditions are met:

- Its natural range, and area it covers within that range, is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and,
- The conservation status of its typical species is favourable as defined below.

The favourable conservation status of a species is achieved when the following conditions are met:

- Population data on the species concerned indicate that it is maintaining itself;
- The natural range of the species is neither being reduced nor likely to be reduced for the foreseeable future; and,
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Conservation objectives for all identified European sites are as follows:

'To maintain or restore the favourable conservation condition of the Annex I habitat(s) and the Annex II species for which the SAC has been selected.'

6 SCREENING AND ASSESSMENT OF POTENTIAL EFFECTS

Using professional experience, guidance and judgement, the following factors have been taken into account in identifying potential significant effects on the identified European Sites:

- Distance from any European Site;
- Qualifying Interests;
- Special Conservation Interests;
- Conservation Objectives;
- The nature of the onsite habitats;
- The location of the Site; and,
- The scale of the Proposed Development.

Based on these factors, **no potential significant impact has been taken forward for further consideration**. This is based on the available information from the field and desk-based assessment as outlined in Section 4.

Overall, the screening exercise **did not identify any other factors** that could result in any direct or indirect loss or disturbance to any of the Annex I habitats or Annex I or II species for which the European sites are designated. It can be stated that the Proposed Development will not cause:

- Any reduction in the area of the habitat or European Site;
- Direct or indirect damage to the physical quality of the environment of any European Site;
- Any serious or ongoing disturbance to species or habitats for which any European Site is designated; or,
- Direct or indirect damage to the size, characteristics or reproductive ability of populations at any European Site.

On the basis of the Source-Pathway-Receptor ('SPR') risk assessment principle, there is no ecological or functional link between the Proposed Development and any European sites.

6.1 Analysis of 'In-Combination' Effects

The Habitats Directive requires competent authorities to make an appropriate assessment of any plan or project which is likely to have a significant effect alone or in-combination with other plans and projects.

As described above, the proposed work alone is unlikely to have any direct or indirect adverse effects on any of the European Sites located within 15km of the Site. A review of the Tipperary County Council Planning ePlan website [13] was undertaken to identify any active or granted plans and/or projects in the immediate vicinity that are considered likely to result in in-combination significant impacts with the Proposed Development on European Sites.

The projects listed in Table 6-1 were identified within the immediate vicinity of the Proposed Development.

Table 6-1: Granted Planning Applications within the immediate vicinity of the Site

Application Ref	Decision	Development Description	Appropriate Assessment
2260420	Granted - 08/11/2022	A solar PV development on a 92 ha site consisting of: - The erection of solar panels on ground-mounted galvanised steel frames, 198 no. string inverters attached to selected ground-mounted galvanised steel frames, 8 no. transformer units, underground cabling, security fencing, CCTV system with pole mounted cameras and landscaping; - 3 no. site entrances with access gates utilizing existing farm field entrances which will be upgraded and internal accesses; - 1 no. on-site IPP switching substation and associated works abutting the existing Cauteen 110kv substation; - a temporary construction compound; and - all associated ancillary development works; at Bamanalleen, Moanmore and Seskin, County Tipperary.	A Stage 2 Natura Impact Statement was submitted as part of this planning application. The Planners Report concluded 'It is considered that the proposed development, with the implementation of the mitigation measures outlines in the NIS, would not give rise to negative effects on the conservation objectives of the Lower River Shannon SAC or any Natura 2000 site.'
22165	Granted – 24/05/2022	The development will consist of the construction of Solar PV development comprising photovoltaic panels laid out in arrays over a total development site area of ca. 54.5 ha, the construction of a 38KV substation (ca. 114.4m ² x 4.75m tall), a transformer unit (ca. 18m ² x 4m tall) and associated bund (ca. 55m ²) along with ancillary development including: 17 no. Power Hubs (ca. 15.25m ² x 2.4) which incorporate at inverter and a transformer, 1. No. single storey communications building (11.1m ² x 2.5m), 1 no. single storey client side sub-station building (15.25m ² x 2.9) 1. No. single storey equipment storage building (7.5m ² x 2.7m), 7 no. CCTV cameras mounted on 4m high poles, perimeter security fencing and all ancillary works.	A Stage 2 Natura Impact Statement was submitted as part of this planning application. The Planners Report concluded 'It is considered that the proposed development, with the implementation of the mitigation measures outlines in the NIS, would not give rise to negative effects on the conservation objectives of the Lower River Shannon SAC or any Natura 2000 site.'
211109	Granted - 20/02/2022	A 10 year planning permission for a solar development on a 39 ha site consisting of: Three site entrances with access gates utilizing existing farm field entrances which will be upgraded and internal accesses; Upgrading of existing laneway to permit access to a proposed substation site (the proposed substation and associated works are currently the subject of a Strategic Infrastructure Development Pre-Application Consultation with An Bord Pleanála); Security fencing around the proposed substation site; Solar panels on ground-mounted galvanised steel frames, 81 no. string inverters attached to selected ground-mounted galvanised steel frames, 6 no. transformer units, underground cabling, security fencing, CCTV system with pole mounted cameras and landscaping; A temporary construction compound; and All associated ancillary development works.	A Stage 2 Natura Impact Statement was submitted as part of this planning application. The Planners Report concluded 'It is considered that the proposed development, with the implementation of the mitigation measures outlines in the NIS, would not give rise to negative effects on the conservation objectives of the Lower River Shannon SAC or any Natura 2000 site.'

Application Ref	Decision	Development Description	Appropriate Assessment
17600456	Granted – 12/10/2017	A 10 year permission for the construction of a solar PV farm with an export capacity of 8MW comprising approx 40,000 no. photovoltaic panels on ground mounted galvanised steel frames within a site of 15.04ha and all associated development including; 8 no transformer stations, 8 no auxiliary transformer stations, 8 no inverters, 2 no. substations, 2 no. single storey buildings, 2 no. single storey communications buildings, 2 no. single storey client buildings, 4 no. CCTV cameras mounted on 4m high poles, site access road with access gates and internal access tracks and perimeter security fence(2m high)	A Stage 2 Natura Impact Statement was submitted as part of this planning application. The Planners Reports stated that 'the applicant has identified that impacts are most likely during the construction phase of the proposed development, however, while earthworks etc are required for internal road construction and site preparation works they are not likely to be significant any negative impacts can be managed and mitigated.'

All other developments within the vicinity of the Proposed Development involved the construction of new residential dwellings or extensions to existing dwellings. It is not considered that these residential developments will have any potential for in-combination effects with the Proposed Development.

The projects listed in Table 6-1 comprise a number of permitted and/or consented developments, each of which has been subject to AA and, where required, the preparation of a Natura Impact Statement ('NIS'). In all cases, the respective assessments concluded that the developments, alone and in combination with other plans or projects, would not adversely affect the integrity or conservation objectives of the Lower River Shannon SAC or any European site, and their qualifying interests.

Given that these projects have already been robustly assessed and concluded to have no adverse effects on European sites, it is considered that the Proposed Development will not result in any in-combination effects on any European sites. This statement is supported by:

- I. The small scale and localised nature of the Proposed Development, with any impacts confined to the Site boundary;
- II. The distances and intervening lands separating the Site from European sites, which preclude direct or indirect pathways for cumulative effects; and,
- III. The implementation of best practice guidelines that will be implemented during the Construction and Operational Phases of the Proposed Development, which will ensure that any potential effects are avoided or minimised at source.

Taking the above into account, it is concluded that there will not be any significant in-combination contribution by the Proposed Development to possible adverse effects on any European Sites.

7 SCREENING CONCLUSIONS AND STATEMENT

The screening process has examined the details of the Proposed Development and has considered the potential for causing adverse effects on European Sites and their qualifying features of interest within a 15km radius of the Site.

Seven designated sites - the Philipston Marsh SAC, Lower River Suir SAC, Lower River Shannon SAC, Moanour Mountain SAC, Anglesey Road SAC, Galtee Mountains SAC and Slievefelim to Silvermines Mountains SPA - are located within a 15km radius of the Site.

In addition, the River Shannon and River Fergus Estuaries SPA is located over 45km downstream of the Site; however, a hydrological connection was identified via the North Ballyryan, Lisheennamalaus and Seskin 25 streams, and, therefore, as a precautionary measure, further consideration was also given to this European Site.

Given the potential hydrological connection between the Site and Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA, these European sites were taken forward for further detailed consideration.

However, as described in Section 5 and Section 6, given the scale and localised nature of the Proposed Development, the lack of direct impact pathways between the Site and European sites, the fact that no in-river works will be undertaken and there will be no direct discharges to surface water or groundwater during the installation of the cable, it can be concluded that the Proposed Development will not result in any significant impacts on the conservation objectives or status of the listed European sites and will not result in the direct loss or disturbance of any Annex I habitats and / or Annex II species for which the European sites are designated. It can be stated that the Proposed Development will not cause any of the following:

- Any reduction in the area of the habitat or European Site;
- Direct or indirect damage to the physical quality of the environment of any European Site;
- Any serious or ongoing disturbance to species or habitats for which any European Site is designated; or,
- Direct or indirect damage to the size, characteristics or reproductive ability of populations at any European Site.

Following an examination, analysis and evaluation of the relevant information, including the nature of the predicted impacts from the Proposed Development and all associated works, it has been objectively concluded that the Proposed Development will not, either alone or in combination with other plans or projects, adversely affect the integrity or conservation status of any of the qualifying interests of any identified European Site in light of best scientific knowledge. No reasonable scientific doubt exists in relation to this conclusion.

Accordingly, the progression to Stage 2 of the Appropriate Assessment process (i.e., preparation of a Natura Impact Statement) is not considered necessary.

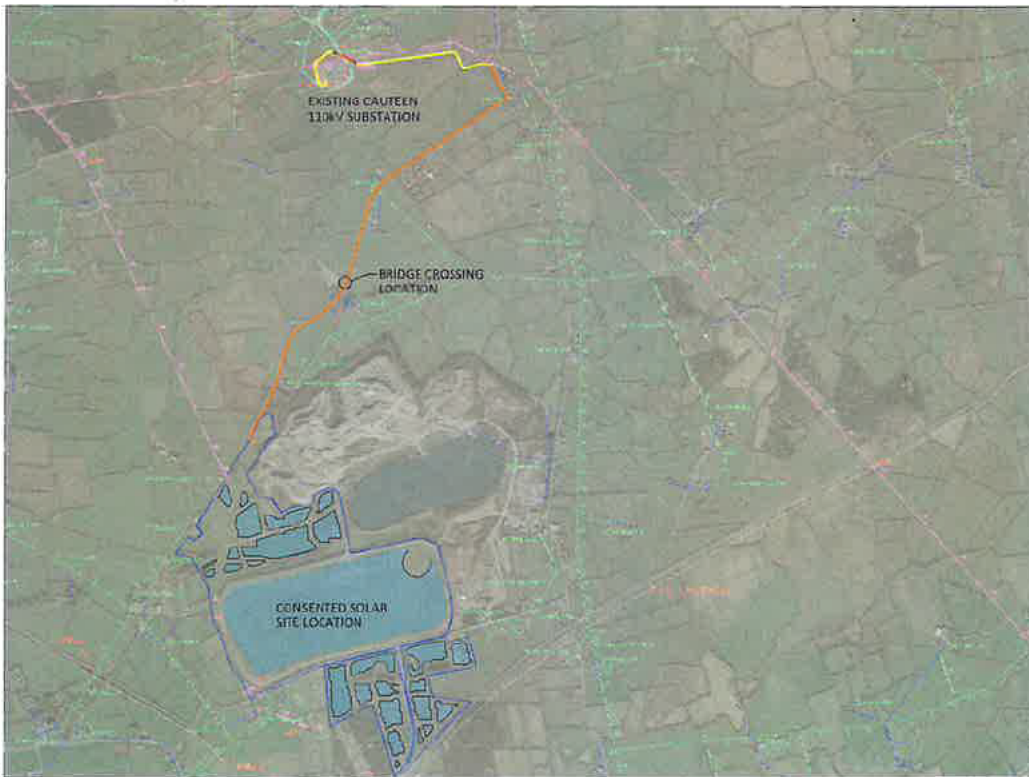
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APPENDICES

APPENDIX A



643201



LOCATION KEY MAP
1:150,000

LEGEND

- PROPOSED 38kV CABLE ROUTE**
- 38kV CABLE ROUTE - PUBLIC ROAD
 - 38kV CABLE ROUTE - PRIVATE LAND
 - 38kV CABLE ROUTE - PRIVATE LAND (DIRECTIONAL DRILLING REQUIRED)
- EXISTING ESB NETWORKS**
- Existing HV OHL Network shown thus
 - Existing HV UGC Network shown thus
 - Existing MV/LV OHL Network shown thus
 - Existing MV/LV UGC Network shown thus

639947

GORTDRUM CABLE ROUTE MAP
1:15,000

				AFRY		AFRY Ireland Ltd Incorporated in Ireland Company No. 310497 100, Canal Street, Dublin 1, Ireland		GORTDRUM GRID ROUTE	
				M BROWNE		26/02/2026		GRID ROUTE LOCATION MAP	
				L POWER		26/02/2026		A	
				PRELIMINARY		GRM 003.1.1			



Poe Kiely Hogan Lanigan

Incorporating M.J. Crotty & Son
Incorporating Holland Condon

Kilkenny Office

21 Patrick Street, Kilkenny, R95 P276
Tel +353 (0)56 772 1063
DX 27008 KILKENNY

Castlecomer Office

The Square, Castlecomer, Co Kilkenny, R95 RHH0
Tel +353 (0)56 444 1219

Town Agents

24-26 Upper Ormond Quay

Fax +353 (0)56 776 5231
Email admin@pkhl.ie

Vat No. [REDACTED]

TO WHOM IT MAY CONCERN

Our Reference

[REDACTED]

Your Reference

Date

25 February 2026

**Re: Our Client: Ballin Solar Limited
Proposed Wind Farm Development at Gortdrum**

Dear Sir/Madam,

We hereby confirm that we act for Ballin Solar Limited in relation to the proposed grid connection for a Solar Farm Development at Gortdrum, Co. Tipperary (the "**Development**").

We confirm that consent of the landowners has been obtained for the Development, as listed in the Schedule hereto.

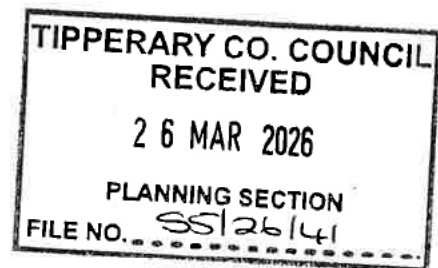
If you require any further confirmation or detail, please do not hesitate to contact the writer directly.

Yours faithfully,

[REDACTED SIGNATURE]

Owen Sweeney
POE KIELY HOGAN LANIGAN

[REDACTED]



Partners

John Hickey, Michael Lanigan, Tim Kiely, Martin O'Carroll, Owen Sweeney, Martin J Crotty, Annette Hickey, Chris Hogan

Consultants

Brian Kiely,
Michael Condon,
John D Holland

Senior Associates

Aileen Gittens,
Cathy Power

Solicitors

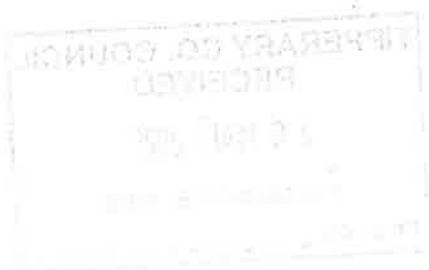
Edmund Hennessy, Emily Rockett,
Chloe Smith, Julie McEvoy,
Katya Atkinson, Grainne Bennett,
Máireáine Conneely

Legal Executives

Keith Winick, Ger Fahy, Carol Walsh, Tanya Voloshyna,
Katherine Coleman, Triona Queally, Caroline Brennan,
Catriona Burke Brennan, Ailish Farrell, Karin Mackey

SCHEDULE

	LANDOWNERS	GDR	FOLIO
1.	Carmel Hickey	Option for Wayleave and Easement	TY57785F
2.	Richard O'Doherty	Option for Wayleave and Easement	TY18591
3.	Patrick Rea	Option for Purchase	TY70200F



Partners

John Hickey, Michael Lanigan, Tim Kiely, Martin O'Carroll, Owen Sweeney, Martin J Crotty, Annette Hickey, Chris Hogan

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Legal Executives

Kelth Winick, Ger Fahy, Carol Walsh, Tanya Voloshyna,
Katherine Coleman, Triona Queally, Caroline Brennan,
Catriona Burke Brennan, Alish Farrell, Karin Mackey



Cash Office
Tipperary County Council
Civic Offices
Nenagh
Co Tipperary

26/03/2026 12:26:47

Receipt No. : NENAM1/0/136128

MALONE O'REGAN ENVIORNMENTAL
GROUND FLOOR, UNIT 3,
BRACKEN BUSINESS PARK, SANDYFORD,
DUBLIN 18.

REF: E1597

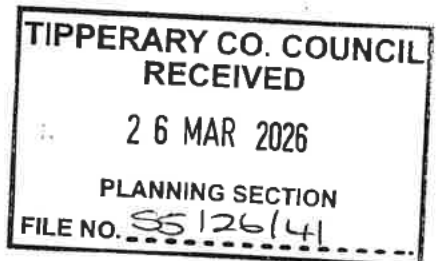
SECTION5 EXEMPTION DECLARATION 80
GOODS 80.00
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

Issued By : DEIRDRE O BRIEN
From : TIPP CC NENAGH CASH DESK
Vat reg No.3259712MH



**TIPPERARY COUNTY COUN
CIVIC OFFICES
LIMERICK ROAD
E45 A099**

MERCHANT ID: *****0080
TERMINAL ID: *****0003
DATE: 26/03/2026 TIME: 12:26
BATCH: 000427-009 INVOICE: 025529
RRN: 608512260352 AUTH NO.: 2866882
Visa SALE

SALE AMOUNT €80.00

CUSTOMER NOT PRESENT

I agree to pay the above final amount
According to the card/merchants issuer
agreement

CUSTOMER COPY

**TIPPERARY CO. COUNCIL
RECEIVED**
26 MAR 2026
PLANNING SECTION
FILE NO. SS/26/41

TIPPERARY COUNTY COUNCIL
PLANNING SECTION
RECEIVED



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 26th March 2026 Our Ref: S5/26/41 Civic Offices, Clonmel

Ballin Solar Limited
C/O Malone O Regan Environmental
Ground Floor – Unit 3 Bracken Business Park
Bracken Road
Sandyford
Dublin 18
D18 V32Y

Re: Application for a Section 5 Declaration – Construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, County Tipperary.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 26th March 2026 in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Yours sincerely,

For Director of Services.

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

Planning Reference: S5/26/41

Applicant: Ballin Solar Ltd

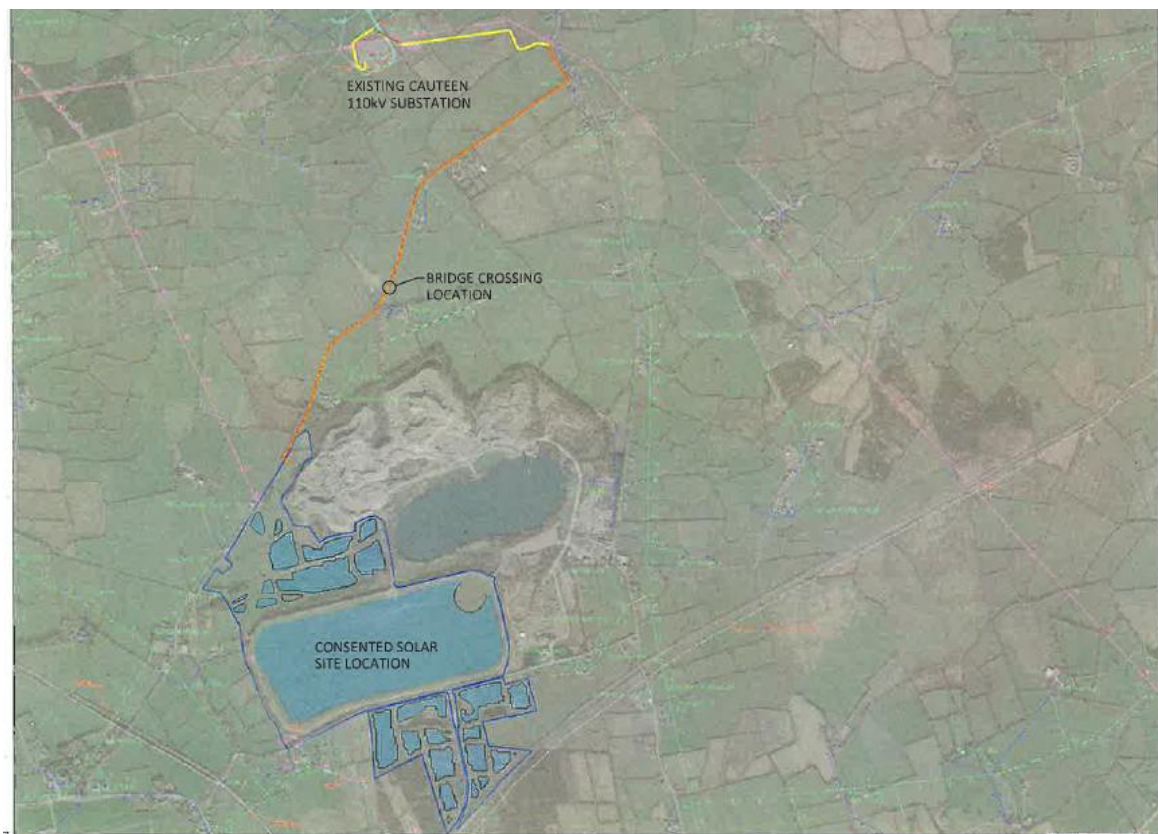
Development Address: Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary

Proposed Development: Construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary.

1. **GENERAL**

On 26th March 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Ballin Solar Ltd as to whether or not the following works constituted development and if so, whether same was exempted development:

Construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary



GORTDRUM CABLE ROUTE MAP
1:15,000

Figure 1 Cable route

2. STATUTORY PROVISIONS

Section 2(1) of the Planning and Development Act, 2000, as amended, states as follows;

“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”

And,

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure”.

Section 2(1) of the Planning and Development Act 2000, as amended defines “Statutory Undertaker” as:

“statutory undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

- (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,*
- (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or*
- (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of, any public undertaking;*

Section 3 (1) of the Planning and Development Act 2000, as amended, states as follows:-

“In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.”

Section 4 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended. Section 4(2)(a) of the same Act states that ‘the Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act.

Section 4 (2)(a) of the Planning and Development Act 2000, as amended, states as follows:-

(2)(a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

- (i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or*
- (ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).*

Section 4 (4) of the Planning and Development Act 2000, as amended, states as follows:-

4. (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an

environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations 2001, as amended

Article 3 of the Planning and Development Regulations 2001, as amended states:

Interpretation.

3.(3) *In these Regulations, except where the context otherwise requires—
“electricity undertaking” means an undertaker authorised to provide an electricity service,*

Article 6 of the Planning and Development Regulations 2001, as amended states:

Exempted Development.

6. (1) *Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

Class 26 Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

<i>Column 1 Description of Development</i>	<i>Column 2 Conditions and Limitations</i>
Class 26 <i>The carrying out by any undertaker authorised to provide an electricity service of development consisting of the laying underground of mains, pipes, cables or other apparatus for the purposes of the undertaking.</i>	

3. ASSESSMENT

a. Site Location

The lands to which the Section 5 application related is located within the townlands of Ballyryan East, Gortdrum, Lisheenamalausa, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary.

The details submitted with the application identify that the proposal comprises the laying of cables underground along the public roads (L-8210-0, L-4204-3 and L-42041-0) and private lands from the Cauteen Substation to the permitted solar farm site.

b. Relevant Planning History

24/60006 Permission GRANTED to Ballin Solar Ltd for construction of an extension to the solar PV development permitted under planning application ref: PR 22/165 comprising the erection of photovoltaic panels laid out in arrays over a development area of ca. 17.44ha along with ancillary development including: 13 no. inverters (ca. 15.25m² x 2.6m), 7 no. CCTV cameras mounted on 4m high poles, electrical and communications cabling, palisade security fencing and all ancillary works, this proposed extension development will be connected to an existing permitted solar development under planning application ref: PL 22/165 by underground cables - A Natura Impact Statement will accompany the planning application

S5/23/29 Section 5 Declaration for proposed underground grid connection was determined to be development and exempted development.

22/165 Permission GRANTED to Summit Solar Ltd for the development will consist of the construction of Solar PV development comprising photovoltaic panels laid out in arrays over a total development site area of ca. 54.5 ha, the construction of a 38KV substation (ca. 114.4m² x 4.75m tall), a transformer unit (ca. 18m² x 4m tall) and associated bund (ca. 55m²) along with ancillary development including: 17 no. Power Hubs (ca. 15.25m² x 2.4) which incorporate at inverter and a transformer, 1. No. single storey communications

building (11.1m² x 2.5m), 1 no. single storey client side sub-station building (15.25m² x 2.9)
1. No. single storey equipment storage building (7.5m² x 2.7m), 7 no. CCTV cameras
mounted on 4m high poles, perimeter security fencing and all ancillary works. NIS will be
submitted with the planning application.

c. Assessment

A. “Is or is not Development”

Having considered all of the details and documentation on file with regards the question asked
the Planning Authority is satisfied that the proposal would involve “works” and such works
would constitute “development” within the meaning of Section 3 of the Act.

B. “Is or is not Exempted Development”

I consider that the construction underground cable grid connection that will transmit power from
the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing
ESB owned Cauteen 110kv Substation comes within the planning exemption provided under
Class 26 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 as
amended.

On the requirement for the development to be carried out by an “undertaker authorised to
provide an electricity service”;

Article 3(3) of the Regulations which states that an electricity undertaking means an undertaker
authorised to provide an electricity service. The Electricity Regulation Act 1999 provides a
definition as follows: “*electricity undertaking*” means any person engaged in generation,
transmission, distribution or supply of electricity, including any holder of a licence or
authorisation under this Act, or any person who has been granted a permit under Section 37
of the Principal Act.”

I note the broad definition of “statutory undertaker” provided within the Planning and
Development Act 2000 as amended as follows

*“statutory undertaker” means a person, from the time being, authorised by or under any
enactment or instrument under an enactment to-
(b) Provide, or carry out works for the provision of, gas, electricity or telecommunications
services,”*

In light of the above, I am satisfied that Ballin Solar Ltd falls within the category of statutory
undertaker on foot of its authorisation under the Planning Act to construct a solar farm that is
a project for the provision of electricity. The applicants have been granted permission for an
electricity generating development which is sufficient to classify the applicants as coming under
Class 26.

C. Restrictions under Article 9

Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions
on exemptions and states:

9. (1) *Development to which article 6 relates shall not be exempted development
for the purposes of the Act—*

(a) *if the carrying out of such development would—*

(i) *contravene a condition attached to a permission under the Act or
be inconsistent with any use specified in a permission under the
Act,*

(iii) *endanger public safety by reason of traffic hazard or obstruction of
road users,*

- (v) *consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,*
- (vii) *consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*
- (viiA) *consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*
- (viiB) *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*
- (viiC) *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.*
- (viii) *consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,*

Following a review of the permitted development, it is considered that the proposal does not contravene a condition attached to a permission and is not inconsistent with any use specified in a permission. The proposal is not therefore restricted under Article 9 (1)(a)(i) of the Regulations.

The proposal will not endanger public safety by reason of traffic hazard or obstruction of road users. The developer will be required to obtain road opening licences for the works to the public road. The proposal is not therefore restricted under Article 9 (1)(a)(iii).

It is noted that there are no national monuments or recorded monuments located on or along the proposed cable route. It is also noted that the majority of the cable is along existing roads that therefore the potential for archaeological remains at this location is considered to be low. The proposal is not therefore restricted under Article 9 (1)(a)(vii) and (viiB)

It is noted that there are no protected structures or NIAH sites located along or close to the proposed cable route. The cable route is located outside of any designated Amenity Area's as identified under the Tipperary County Development Plan 2022-2028.

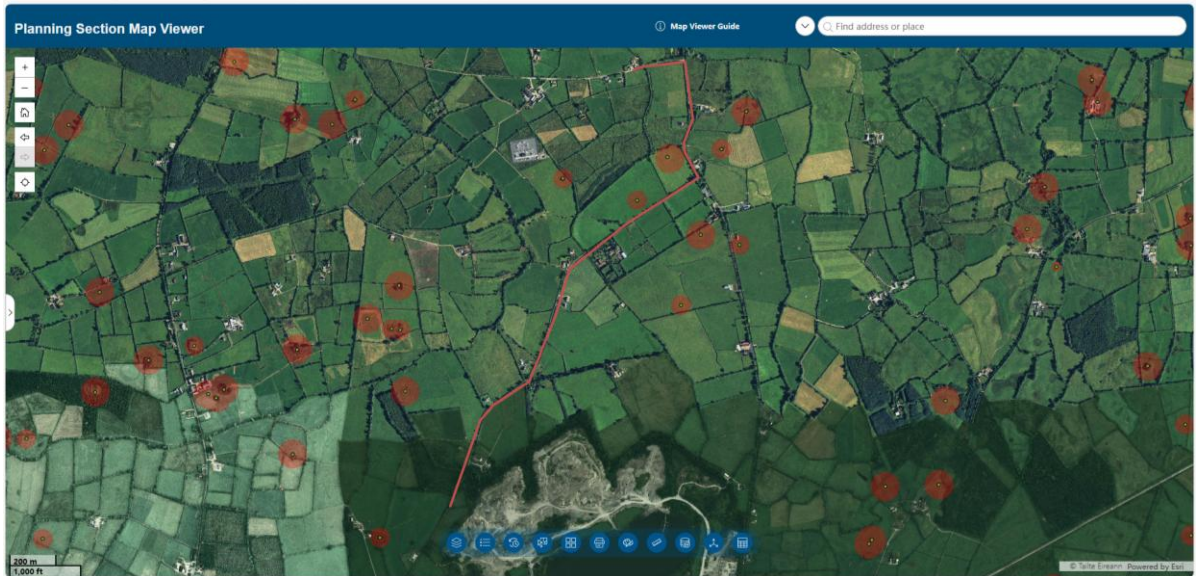


Figure 2 Archaeology and Built Heritage relative to cable route

D. Requirement for Appropriate Assessment (AA) & Environmental Impact Assessment (EIA)

AA

The proposed development has been screened as to the requirement for AA and it has been determined that AA is not required. The applicant has also prepared an AA screening to assist the Planning Authority in its screening functions. See Screening Report attached.

EIA

EIA is not required in respect of the proposal.

4. **RECOMMENDATION**

A question has arisen as to whether the construction of an underground cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalausa, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary

is development and is or is not exempted development:

Tipperary County Council, in considering this referral, had regard particularly to -

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Class 26 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.
- (d) The planning history and details as submitted with the application on 26th March 2026.

Tipperary County Council has concluded that –

The development consisting of the construction of an underground cable grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalausa, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. **Tipperary is development and is exempted development** as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

District Planner:



Date: 13/04/2026

Senior Executive Planner:



Date: 15/04/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	S5/26/41
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 10km	None	No
000646 Galtee Mountains SAC	https://www.npws.ie/protected-sites/sac/000646	Within 10km	None	No
002257 Moanour Mountains SAC	https://www.npws.ie/protected-sites/sac/002257	Within 10km	None	No
001847 Philipstown Marsh SAC	https://www.npws.ie/protected-sites/sac/001847	Within 15km	None	No
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 15km	None	Yes

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance 	No impacts

<ul style="list-style-type: none"> • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	No impacts
In-combination/Other	No impacts

(b) Describe any likely changes to the European site:

<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	No impacts
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(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.

On the basis of the information on file and the screening report provided by the applicant, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the proposed land use and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects is not likely to have significant effects on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening
Establishing a development is a 'sub-threshold development'

File Reference:	S5/26/41
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

55/26/41 - Ballin Solar KLtd	
REFNO	55/26/41
APPLICANT	Ballin Solar KLtd
RECEIVED	26/03/2026
LOCATION	Gortdrum
ENGINEERING AREA	Tipperary
DECISION	Granted
DATE OF DECISION	24/04/2026
DESCRIPTION	construction of an underground

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/41** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Ballin Solar Limited, C/O Malone O Regan Environmental, Ground Floor – Unit 3 Bracken Business Park, Bracken Road, Sandyford, Dublin 18, D18 V32Y, Re: Construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalausá, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary is development and is exempted development.

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- gq* a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Class 26 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.
- d) The planning history and details as submitted with the application on 26th March 2026.

Tipperary County Council has concluded that the development consisting of the construction of an underground cable grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalausá, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary is development and is **exempted development** as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

Signed: 
Brian Beck
Director of Services

Date: 16/04/2026



Date: 16th April 2026

Our Ref: S5/26/41

Civic Offices, Nenagh

Ballin Solar Limited
C/O Malone O Regan Environmental
Ground Floor – Unit 3 Bracken Business Park
Bracken Road
Sandyford
Dublin 18
D18 V32Y

Re: Declaration under Section 5 of the Planning and Development Act 2000, as amended.

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 26th March 2026 in relation to the following proposed works:

Construction of an Underground Cable (UGC) grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalaus, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary.

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Class 26 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.
- d) The planning history and details as submitted with the application on 26th March 2026.

Tipperary County Council has concluded that the development consisting of the construction of an underground cable grid connection that will transmit power from the permitted Solar PV Development Substation at Gortdrum, Co. Tipperary to the existing ESB owned Cauteen 110kv Substation at Townlands of Ballyryan East, Gortdrum, Lisheenamalausá, Barnalleen, Cauteen, Reaskavalla and Seskin, Co. Tipperary is development and is **exempted development** as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours sincerely

Geraldine Quinn

for **Director of Services**

CC: Carmel Hickey, Seskin, Co Tipperary

CC: Richard O Doherty, Cauteen, Co Tipperary

CC: Patrick Rae, Gortrum, Gortenerrig, co Tipperary