

An
Bord
Pleanála

Board Direction
BD-007930-21
ABP-308628-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/04/2021.

The Board decided to approve the proposed development generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In coming to its decision, the Board had regard to:

- (a) the nature, scale and extent of the proposed development,
- (b) the characteristics of the site and of the general vicinity,
- (c) the location of the proposed development adjoining the M1 corridor and the edge of the urban area of Drogheda,
- (d) the distance to dwellings or other sensitive receptors from the proposed development,
- (e) the planning history of the immediate area including proximity to the permitted data storage facility (Reg. Ref. LB/191735).
- (f) the submissions on file including those from prescribed bodies and the planning authority,
- (g) the Environmental Impact Assessment Report submitted,
- (h) the Appropriate Assessment Screening report submitted,
- (i) the report of the Inspector.

Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed development taking into account:

- The nature, scale and extent of the proposed development;
- The environmental impact assessment report and associated documentation submitted in support of the application;
- The submissions made in the course of the application; and
- The Inspector's report.

The Board considered that the Environmental Impact Assessment Report (EIAR), supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the EIAR and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the Environmental Impact Assessment Report and, subject to compliance with the conditions set out herein, the effects on the environment of the proposed development by itself and cumulatively with other development in the vicinity would be acceptable. In doing so, the Board adopted the report and conclusions of the reporting Inspector.

The Board considered, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated, as follows:

- **Population and Human Health:** Potentially significant health and safety risks to construction workers, due to working at heights and with high voltage electrical infrastructure. This will be mitigated through best-practice construction methods and compliance with health and safety standards.

Potential air quality, dust and noise impacts on human health will be mitigated through compliance with a Construction Environmental Management Plan and Noise and Vibration Management Plan, best practice construction methods and distance to sensitive receptors.

- **Land, Soils, Hydrology, Air and Climate:** Potential significant hydrological effects are identified, due to potential construction phase contamination of surface water on site and sedimentation and dust. During the operational phase, increased surface water run-off and sedimentation is also considered to result in potentially significant effects. These effects will be mitigated by a series of best practice construction management, dust minimisation and pollution prevention measures and other specific measures outlined in the Drainage and Water Services Report and the Outline Construction Environmental Management Plan.

The Board is satisfied that this reasoned conclusion is up to date at the time of taking this decision.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with national, regional and local planning policy, would not have an unacceptable impact on the landscape or ecology, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All of the mitigation measures set out in the Environmental Impact Assessment Report and other particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development.

Reason: In the interest of environmental protection and public health.

4. The developer shall comply with the following requirements:
- (a) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
 - (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.
 - (c) Cables within the site shall be located underground.
 - (d) All fencing, gates and exposed metalwork shall be dark green in colour. The roofs of the buildings within the substation compound shall be dark grey or black and the external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of clarity, of visual and residential amenity.

5. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. All existing hedgerows shall be retained. The landscaping and screening shall be maintained at regular intervals. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those original required to be planted.

Reason: To assist in screening the proposed development from view and to blend it into its surroundings in the interest of visual amenity.

6. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Outline CEMP included in the Environmental Impact Assessment Report. The CEMP shall incorporate the following:
- (a) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;
 - (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
 - (c) an emergency response plan; and
 - (d) a construction stage traffic management plan.

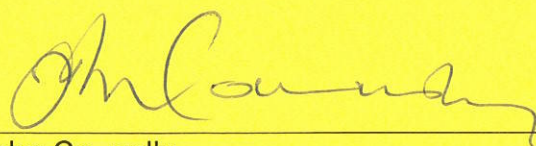
A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of environmental protection and orderly development.

7. Prior to the commencement of development, the developer shall submit the report of the archaeological excavation (carried out under licence no. 20E0082) to the planning authority.

Reason: To conserve the archaeological heritage of the site.

Board Member



John Connolly

Date: 20/04/2021