

An
Bord
Pleanála

Board Direction
BD-008559-21
ABP-308906-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/06/2021.

The Board decided to approve the proposed development under Section 182A of the Planning and Development Act 2000, as amended, 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:

European legislation and policy including of particular relevance:

- The EU TEN-E Regulation 347/2013 which sets out guidelines for the timely development and interoperability of priority corridors and areas of trans-European energy infrastructure and under which the project is designated as a project of common interest.
- The European Commission Framework Strategy for a Resilient Energy Union (COM/2015/080) which launched the 'Energy Union', which establishes related and mutually reinforcing dimensions relating to energy security and diversification, energy integration and efficiency, innovation, and climate action and set interconnection targets to be achieved by member states.
- Directive 2014/52/EU amending Directive 2011/92/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment.

- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.

National policy provisions including of particular relevance:

- Ireland's Transition to a Low Carbon Energy Future 2015 – 2030, the Energy White Paper which included the potential benefits of electricity interconnection and committed to promoting and facilitating interconnection with other countries and regions.
- Ireland's Grid Development Strategy, Your Grid, Your Tomorrow, 2017, which identified the need for investment in the electricity transmission system and for a long-term strategy to develop the electricity grid to ensure a long-term sustainable and competitive energy future for Ireland and identified the need to explore more interconnection with other countries in the context of the change to a competitive, low carbon energy system.
- National policy on Electricity Interconnection in Ireland, 2018, which indicated that the EU wide goal of completing the internal energy market requires physical infrastructure of interconnection and committed to supporting appropriate interconnection development.
- The Climate Action Plan 2019 which embeds the process of setting binding and ambitious emissions reductions targets in law.
- The National Planning Framework Project Ireland 2040 including National Strategic Outcome 8 which relates to transition to a low carbon and climate resilient society, identifies the need for new energy systems and transmission grids for a more distributed and renewables focused energy generation system and specifically supports exploration of EU interconnection options to strengthen energy security and resilience.
- The National Development Plan 2018 – 2027, which identifies the transition to a low carbon and resilient society as a national strategic outcome and identifies the need for further interconnection to increase energy security and facilitate the more variable electricity generation on the grid.

Regional policy provisions including of particular relevance:

- Regional Spatial and Economic Strategy for the Southern Region 2020 including objective RPO 222 to support and facilitate the development of new transmission infrastructure projects that might be brought forward in the lifetime of this plan under Eirgrid's 2017 Grid Development Strategy to serve the existing and future needs of the region and strengthen all Ireland energy infrastructure and interconnection capacity

Local policy provisions including of particular relevance:

- Objective EN04 of the Wexford County Development Plan, which refers to facilitating the provision of and improvements to energy networks in principle demonstrating a need for the development and that it is suitable.

The following matters:

- (a) The significant benefits to the national electricity transmission grid,
- (b) The alternatives considered and the rationale for connecting to the national grid at the selected location,
- (c) The established landscape character at Great Island,
- (d) The distance to dwellings or other sensitive receptors from the proposed development,
- (e) The nature and scale and design of the proposed development,
- (f) The submissions on file including those from the Welsh Government, the prescribed bodies and the planning authority,
- (g) The range of proposed mitigation measures set out in the submitted in the documentation lodged including the Environmental Impact Assessment Report, and Natura Impact Statement incorporating appropriate assessment screening.
- (h) The report and recommendation of the Inspector.

Appropriate Assessment: Stage 1:

The Board considered the Natura Impact Statement and all the other relevant submissions and carried out both an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board agreed with and adopted the screening assessment carried out and conclusions reached in the Inspector's report that the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), Hook Head Special Area of Conservation (Site Code:000764), Bannow Bay Special Area of Conservation (Site Code: 000697), Lower River Suir Special Area of Conservation (Site Code: 002137) and Bannow Bay Special Protection Area (Site Code: 004033) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment: Stage 2:

The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an Appropriate Assessment of the implications of the proposed development for the European Sites the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), Hook Head Special Area of Conservation (Site Code:000764), Bannow Bay Special Area of Conservation (Site Code: 000697), Lower River Suir Special Area of Conservation (Site Code: 002137) and Bannow Bay Special Protection Area (Site Code: 004033), in view of the sites' Conservation Objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the Conservation Objectives for the European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.

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, 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 Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board considered, and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Significant positive long-term transboundary impacts through provision of the interconnector which will support renewable energies and provide for security and continuity of electricity supply.

Significant positive long-term beneficial effects on climate, air quality, biodiversity, population and human health due to the facilitative effect of the interconnector is supporting renewable energy transmission.

Short-term negative impacts on biodiversity as a result of the removal of scrub woodland at the site of the proposed converter station.

Permanent landscape change of the site from an open and widely visible agricultural hillside to an industrial infrastructure use with screen mounding and woodland planting. This will be a significant landscape change and an intensification of the industrial character. Permanent moderate visual impact on views from the north and permanent slight impacts on views to the east and south.

Short-term significant impacts on population, (residents and road users) in the vicinity of the cable trench excavation and cable installation for the duration of works as a result of noise and road closures.

Short-term significant effects on land use from temporary occupation of farmland and disturbance to services during construction. Long-term slight negative effects from restrictions on activities and development over the cable wayleave.

Slight adverse long-term effects on resource usage related to the running of the converter station and tail station.

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

Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with relevant European, national and local policy, would provide for the strengthening of the national electricity transmission grid and thereby increase security of supply and support the transition

to low carbon electricity supply and would be acceptable in terms of landscape, cultural heritage, air, noise and vibration impacts and impacts on local residents, biodiversity and traffic and would not result in a risk of major accident or disaster. 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, as supplemented by the information received on 30th day of April 2021, 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 undertaker 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.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Environmental Impact Assessment Report and other particulars submitted with the application shall be implemented by the developer, 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. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Natura Impact Statement and other particulars submitted with the application shall be implemented by the developer, 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 European sites during the construction and operational phases of the development.

4. The development at the Great Island site shall be carried out in accordance with the Landscape Plan lodged with the application, as supplemented by the information received on the 30th day of April 2021. In addition, proposals for further planting to the northern, southern and eastern boundaries of the Great Island site shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. for written agreement.

The Landscape Plan including additional agreed planting as described above, shall be carried out within the first planting season following commencement of construction of the proposed development.

The plan shall include a 5-year management scheme.

Reason: To assist in screening the proposed development and ensure that it is satisfactorily integrated into the landscape and minimise impacts on views of the Great Island site.

5. 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.

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 CEMP included in the Environmental Impact Assessment Report. The detailed CEMP shall be made available at the planning authority's offices for members of the public and 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 community 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;
- (d) a community liaison plan;
- (e) a construction stage traffic management plan incorporating restricted speed limits and proposals to ensure continued safe use of the public roads and access to all amenities and facilities with particular reference to vulnerable users and availability of parking at coastal amenities;
- (f) proposals for pre-construction and post construction road surveys and for roads reinstatement;
- (g) proposals for measures to prevent the spread of invasive species including an updated Invasive Species Management Plan shall be submitted to and agreed in writing with, the planning authority subsequent to consultation with the National Parks and Wildlife Service;
- (h) a prohibition on removal of vegetation and hedgerow outside the period of September to February inclusive.

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. The undertaker shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably qualified archaeologist prior to the commencement of development.

The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

(i) the nature and location of any archaeological material on the site,

(ii) the impact of the proposed development on such archaeological material and

(iii) the requirements of National Monuments Service, which shall be obtained through consultation at the earliest possible time.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

8. The undertaker shall comply with the following requirements:

(a) No additional artificial lighting shall be installed or operated on the converter station 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) The external finishes of buildings and structures at Great Island shall be in accordance with the application documents.

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

9. Prior to commencement of development, the undertaker shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

10. Prior to commencement of development, the undertaker shall submit to and agree in writing with the planning authority, a programme including timeline for completion of the facilities described in the application documentation as community gain works (roadside car parking near Baginbun Beach, Street improvement in Ramsgrange village). These facilities shall be completed at the undertaker's expense.

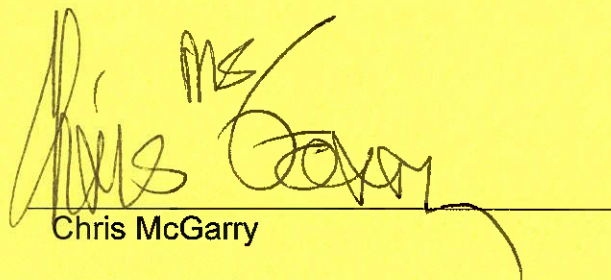
Reason: Having regard to the extensive nature of the proposed development it is considered reasonable that the developer should finance in whole the identified community gain facilities, which would constitute a substantial gain to the community.

Note: the Board noted the wording of condition 11 as recommended by the Inspector, which referred to the payment of a sum in the amount of €200,000 to be paid to the planning authority towards the cost of environmental improvement, recreational or community amenities in the locality and that the identification of such projects shall be decided by the planning authority. However having considered the totality of the documentation submitted with the application, including the specific community gain facilities set out therein, and by reference to the wording of Section 182B(6) of the Planning and Development Act 2000, as amended, the Board decided to amend condition 11 as set out above.

Schedule of Costs

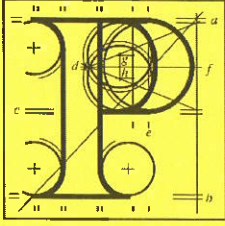
In accordance with the provisions of Section 182B of the Planning and Development Act 2000, as amended, the amount due to be reimbursed to the applicant is **€32,526**

Board Member



Chris McGarry

Date: 17/06/2021



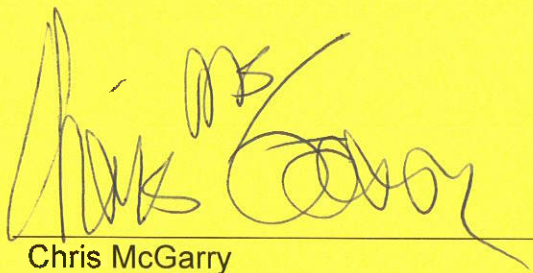
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**Board Direction
BD-008558-21
ABP-308906-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/06/2021.

The Board decided to defer this case for consideration at a further Board meeting.

Board Member:



Chris McGarry

Date: 17/06/2021

