

An  
Bord  
Pleanála

**Board Direction**  
**BD-013221-23**  
**ABP-314894-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/08/2023.

The Board decided to grant permission 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;
- (d) national, regional and local policy support for developing the electricity transmission system and strengthening the national grid and in particular:
  - National Planning Framework, 2018;
  - Government Policy Statement on Security of Electricity Supply, 2021;
  - National Energy Supply Framework 2022
  - Climate Action Plan, 2023;
  - Regional Spatial and Economic Strategy for the Eastern and Midlands Region; and
  - Fingal County Development Plan, 2023-2029;
- (e) the proximity of the site to the proposed gas-fired power station which is currently under consideration by Fingal County Council and adjacent power line at Kilshane;
- (f) The proximity of the existing 220 kV substation at Cruiserath.

- (g) the distance to dwellings or other sensitive receptors from the proposed development;
- (h) the submissions on file from prescribed bodies, third parties and the Planning Authority;
- (i) the documentation submitted with the application, including the Environmental Impact Assessment Report and the Appropriate Assessment Screening Report; and
- (j) the report of the Inspector.

### **Conditions**

1. The proposed 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 proposed development shall be carried out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All of the environmental, construction and ecological mitigation and monitoring measures set out in the Environmental Report and other plans and 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. The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.

**Reason:** In the interest of clarity.

4. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

5. The developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

**Reason:** In the interest of public health.

6. Surface water 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, the developer shall agree with the planning authority following engagement with the Irish Aviation Authority to confirm that the proposed development and any associated construction equipment would have no impact on the safety of flight operation along identified critical low level routes in support of operational requirements.

**Reason:** In the interests of air traffic safety.

7. The developer shall comply with the transportation requirements of the planning authority for such works and services as appropriate.

**Reason:** In the interest of traffic and pedestrian safety.

8. 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 preliminary CEMP submitted with the application. 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 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) traffic management and road safety procedures and measures;
- (d) an emergency response plan; and
- (e) proposals in relation to public information and communication.

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.

9. The developer 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 archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

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.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

11. The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

**Reason:** To protect the residential amenities of property in the vicinity.

12. Hedgerows or trees to be removed on site shall not be removed during the bird nesting season of 1st March to 31st August.

**Reason:** In the interest of nature conservation.

13. During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:

(i) An LAeqT value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive. [The T value shall be one hour.]

(ii) An LAeqT value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 "Assessment of Noise with respect of Community Response" as amended by ISO Recommendations R 1996 1, 2 or 3 "Description and Measurement of Environmental Noise" as applicable.

**Reason:** To protect the amenities of property in the vicinity of the site.

14. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development.

**Reason:** To ensure the satisfactory completion of the development.

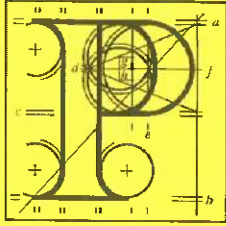
**Board Member**



**Date:** 11/08/2023

---

Peter Mullan



An  
Bord  
Pleanála

**Board Direction**  
**BD-013394-23**  
**ABP-314894-22**

---

At a meeting held on 23/08/2023, the Board considered the documents and submissions on file generally and approved a cost refund to the applicant in the sum of Euro 79,857.

**Board Member**

Peter Mullan

**Date:** 23/08/2023