



An
Bord
Pleanála

Board Direction
BD-018735-25
ABP-319422-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/01/2025.

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

The Board had regard to the following:

- the nature, scale and extent of the proposed development;
- Policies set out in the Meath County Development Plan, 2021-2027 and the Final County Development Plan, 2023-2029;
- The European Green Deal, 2020;
- RED III (European Renewable Energy Directive (EU/2023/2413));
- EU Action Plan on Grids, November, 2023;
- The National Planning Framework, 2018;
- The National Development Plan, 2021-2030;
- Climate Action and Low Carbon Development (Amendment) Act, 2021;
- Climate Action Plan, 2024 (CAP24), which the proposed development is consistent with;
- National Adaptation Framework, 2018;
- National Energy and Climate Plan for Ireland, 2021–2030;
- Government Policy Statement on Security of Electricity Supply, November 2021;

- Regional Spatial & Economic Strategy for the Eastern & Midlands Region, 2019;
- National Biodiversity Plan 2023-2030;
- Documentation submitted with the planning application including the Environmental Impact Assessment Report, the Appropriate Assessment Screening and the Natura Impact Statement;
- The submissions made in connection with the application;
- Mitigation measures proposed for the construction and operational phases;
- The pattern of development in the area;
- The separation distances between the proposed development and existing dwellings or other sensitive receptors;
- The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development, and the absence of likely significant effects of the proposed development on European sites;
- The report of the Inspector.

Appropriate Assessment: Stage 1

The Board agreed with and adopted the screening assessment and conclusions carried out in the Inspector's report that the only European sites in respect of which the proposed development has the potential to have a significant effect are the Malahide Estuary SAC (Site Code: 000205), Baldoyle Bay SAC (Site Code: 000199), Malahide Estuary SPA (Site Code: 004025), Baldoyle SPA (Site Code: 004016), North-West Irish Sea SPA (Site Code: 004236), North Bull Island SPA (Site Code: 004006), South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), Rogerstown Estuary SPA (Site Code: 004015), Ireland's Eye SPA (Site Code: 004117), Lambay Island SPA (Site Code: 004069), Skerries Islands SPA (Site Code: 004122), River Nanny Estuary and Shore SPA (Site Code: 004158), Boyne Estuary SPA (Site Code: 004080), and Dundalk Bay SPA (Site Code: 004026).

Appropriate Assessment: Stage 2

The Board considered the Natura Impact Statement, and other associated documentation submitted with the application and appeal, 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 on the aforementioned European sites 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:

- (a) the likely direct and indirect impacts arising from the development and the proposed development, both individually, when taken together and in combination with other plans or projects,
- (b) the mitigation measures, which are included as part of the current proposal, and
- (c) 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.

Environmental Impact Assessment:

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

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and other associated documentation submitted in support of the application,

- (c) the screening for appropriate assessment and associated documentation submitted in support of the application,
- (d) the submissions from the planning authorities, the observers and prescribed bodies in the course of the application, and
- (e) 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, residual and cumulative effects of the proposed development on the environment. The Board agreed with the examination, as 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 that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated as follows:

Short-term adverse impacts arising from the construction phase on **Population and Human Health** in terms of residential amenity from traffic diversions on the public road, and on the operation of businesses and farm enterprises.

Construction phase impacts will be mitigated by standard good construction practices. Diversions will be temporary in nature and appropriate traffic management arrangements will be put in place. A community liaison officer will be engaged as a point of contact during construction.

Adverse impacts on **Biodiversity** from permanent habitat loss of hedgerows and treelines until new species-rich hedgerows and treelines are established, and on mature trees that cannot be compensated with replacement planting due to the time taken for trees to reach maturation. An offsite compensation strategy for hedgerows, treelines and individual trees has been developed.

Adverse impacts on two parcels of **Land** due to permanent land take and temporary disturbance and long-term damage to soil structure. The overall residual impact on the agronomy and equine study area is assessed as not significant.

Potential for adverse impacts on **Water** in terms of groundwater flow and quality at unknown private water supplies and at Ground Water Dependent Terrestrial Ecosystems. Risks to groundwater quality and associated receptors will be mitigated with the adoption of a CEMP.

Potential for impacts to surface water quality from sediment runoff, spillages, discharges or physical modification. A Surface Water Management Plan details control and mitigation measures for avoiding, preventing, or reducing any significant adverse impacts on the surface water environment during construction.

Adverse impact on **Air** in terms of residual noise impacts occurring along four routes where traffic will be diverted. These impacts are expected to last for less than one year. Nearby dwellings will also experience adverse noise impacts from HDD works at the M2 and M3 Motorway crossings and this will be appropriately mitigated by temporary enclosures / barriers.

Adverse impacts on **Cultural Heritage** in terms of archaeology due to removal of recorded monument AY_47. Archaeological excavation will take place, informed by archaeological geophysical survey and archaeological test excavation, where preservation in-situ is not feasible. A suitably qualified archaeologist will be appointed and photographic and written records will be retained. The residual significance is assessed as moderate.

Adverse impacts on **Material Assets** in terms of traffic and transport from road closures and 21-22 minute diversion at the R156 Regional Road, L1010 Nuttstown Road, and Priestown Road in County Meath. Diversions will be signposted from the affected regional road to alternative roads of similar or better standard.

Adverse impacts on traffic and transport at the M3 Motorway Junction 5 – northern on / off slips in terms of pedestrian amenity and road safety. Any effects at this location will be mitigated by the measures outlined in the Construction Traffic Management Plan.

Positive impacts on material assets through the improvement of the electricity infrastructure in the region once the proposed development is operational.

Adverse impact on the **Landscape** and visual through the removal of 1,174 trees, representing 12% of the total trees in the study area. An arboriculturalist will be appointed to develop a site-specific Arboricultural Method Statement and a Tree Protection Plan will also be prepared. Hedgerows removed for the temporary works areas will be replanted with a new species-rich hedgerow.

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, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, both by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

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 European, National, Regional and Local planning and related policy, would be consistent with the provision of the Climate Action Plan 2024 and would make a significant positive contribution towards Ireland's renewable energy and security of energy supply requirements.

Furthermore, the proposed development would not seriously injure the visual and residential amenities of the area, nor have an unacceptable impact on the character of the landscape or archaeological heritage, would not have a significant impact on ecology, and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 1. | The development shall be carried out 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 |
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	<p>prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interests of clarity.</p>
2.	<p>Prior to commencement of development the final route alignment of the proposed electricity infrastructure shall be agreed in writing with the planning authority, following consultations with the statutory undertakers/ landowners on the horizontal and vertical alignment of the proposed cable.</p> <p>Reason: In the interests of clarity and to avoid potential conflicts.</p>
3.	<p>The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.</p> <p>Reason: To protect the environment.</p>
4.	<p>The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.</p> <p>Reason: To protect the integrity of European Sites.</p>
5.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authorities for such works in respect of both the construction and operation phases of the proposed development.</p> <p>Reason: In the interest of environmental protection and public health.</p>
6.	<p>The developer shall comply with the transportation requirements of the planning authorities and other relevant bodies for such works and services as appropriate. Such requirements shall require provision of a detailed Traffic Management Plan and shall include the following details:</p> <ol style="list-style-type: none"> Consultation with TII and all private and public companies and road authorities. Details of haulage routes, control measures for abnormally sized vehicles and an Abnormal Load Assessment.

	<p>c. A road condition survey of roads and bridges along the haul route to be carried out at the developer's expense and to the satisfaction of the planning authority.</p> <p>d. Detailed arrangements for construction damage to be made good by the developer to the satisfaction of the planning authority.</p> <p>e. Detailed arrangements for temporary traffic management/controls, and protocols to keep residents informed,</p> <p>f. Construction Route Signage,</p> <p>g. Road Opening Licences that will be required,</p> <p>h. Arrangements for the phasing of the development,</p> <p>i. Detailed design of the site entrances with provision of sightlines to the satisfaction of the planning authority and recessed entrance gate.</p> <p>Reason: In the interest of traffic and pedestrian safety.</p>
7.	<p>All road surfaces, culverts, watercourses, verges, and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authorities at the developer's expense. Prior to commencement of development, a road condition survey shall be carried out to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authorities prior to commencement of development.</p> <p>Reason: In order to protect the road network.</p>
8.	<p>Details of all external finishes including materials, colours and textures of the proposed 400kV GIS hall at Belcamp Substation shall be submitted to Fingal County Council prior to commencement of development, for the written agreement of the planning authority.</p> <p>Reason: In the interests of visual amenity and quality of design.</p>
9.	<p>The applicant shall appoint a suitably qualified ecologist to monitor and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna are carried out in accordance with best ecological practice</p>

	<p>and to liaise with consultants, the site contractor, the NPWS and Inland Fisheries Ireland. The ecologist shall advise the applicant in relation to habitat management and protection and oversee the works on site associated with hedgerow removal, drain diversion and the provision of new planting, including hedgerow. Planting locations, species, timescale, replacement planting shall be detailed, together with options for agreeing measures which accord with the Local Biodiversity Action Plans for Meath and Fingal Local Authorities and the All-Ireland Pollinator Plan. A report on the implementation of these measures shall be submitted to the planning authorities and retained on file as a matter of public record.</p> <p>Reason: To protect the environmental and natural heritage of the area.</p>
10.	<p>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 Construction Methodology submitted with the application. The CEMP shall incorporate the following:</p> <ul style="list-style-type: none"> (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 Invasive Species Eradication and Management Strategy for the site, to include monitoring post completion of works; (d) an emergency response plan; and (e) proposals in relation to public information and communication. <p>A record of daily checks that the works are being undertaken in accordance with the Construction Environmental</p>

	<p>Management Plan shall be kept for inspection by the planning authority,</p> <p>Reason: In the interest of environmental protection and orderly development.</p>
11.	<p>The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authorities, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/ site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authorities, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authorities. The planning authorities and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.</p>
12.	<p>The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as appropriate following consultation</p>

	<p>with NMS. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.</p> <p>Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1300 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.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
14.	<p>Prior to commencement of development, the developer 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 satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. 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.</p> <p>Reason: To ensure satisfactory reinstatement of the site.</p>

Schedule of Costs

- In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be refunded to the applicant is **€49,869**.

Board Member


 Mick Long

Date: 24/01/2025