

Planning and Development Acts, 2000 to 2020

Planning Authority: Meath County Council

Application for approval under section 182A(1) of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report, lodged with An Bord Pleanála on the 7th day of September, 2020 by EngineNode Limited care of John Spain Associates of 39 Fitzwilliam Place Dublin.

Proposed development: Provision of a new 220kV substation with Gas Insulated Switchgear (GIS) technology and two 220kV underground transmission cables (connecting to the existing 220kV overhead lines to the north of the proposed substation) along with associated and ancillary works. The application site has a total area of circa 14.35 hectares. The proposed 220kV GIS substation is to be located on lands at Bracetown and Gunnocks, to the north of Clonee, to the west of the R147 Regional Road, and to the south-east of Bracetown Business Park. The proposed substation is located to the south of a proposed data storage development subject to a separate concurrent application under Meath County Council register reference number RA191593 and An Bord Pleanála reference number ABP-307546-20. The proposed substation includes the provision of four transformers, a client control building (with a gross floor area of circa 637 square metres) and a two-storey GIS substation building (with a gross floor area of circa 2,430 square metres) within a 2.6-metre high fenced compound. The proposed 220kV transmission cables will run from the proposed 220kV GIS substation, connecting to the existing 220kV

overhead transmission lines to the north of the substation site. One underground transmission cable circuit (the Gunnocks-Woodland circuit) will proceed from the proposed substation to the east, before following the R147 roadway northwards to an existing roundabout linking the R145 with the M3 Motorway. From this roundabout, the circuit proceeds north-east through private agricultural lands before reaching the Corduff-Woodland overhead line. This circuit will cover a distance of two kilometres. The other underground transmission cable circuit (Gunnocks-Corduff circuit) will proceed from the proposed substation to the east, following the perimeter of the data storage facility site northwards, then north-east and exiting onto an existing rural roadway. The route then follows this rural road north-eastward before reaching the Corduff-Woodland overhead line in private agricultural lands to the west of the roadway. This circuit will cover a distance of circa 1.7 kilometres. Each of the two circuits will terminate in a cable-overhead interface compound containing air-insulated electrical equipment mounted on concrete plinths. Adjacent to each interface compound, an overhead line tower will be erected to facilitate connection of the new underground cables to the existing 220kV overhead line. Each new overhead line tower will be approximately 21 metres in height, set on top of concrete foundations. The development includes enabling works, services diversions, adjacent access paths to serve the proposed transmission cables, connections to the proposed substation, landscaping, security fencing and berms, lighting masts, provision of internal access arrangements and car parking within the substation compound, services, all associated construction works and all ancillary works. All located within the townlands of Bracetown, Gunnocks, Paddingstown, Normansgrove, Rowan, Portmanna and Pace, County Meath.

Decision

APPROVE the proposed development under section 182A of the Planning and Development Act, 2000, as amended, for the following reasons and considerations and subject to the conditions set out below, and

DETERMINE under section 182B of the Planning and Development Act, 2000, as amended, the sum to be paid by the undertaker in respect of costs associated with the application, as set out in the Schedule of Costs below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

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

- (a) the National Planning Framework - Ireland 2040, published by the Department of Housing Planning and Local Government in February, 2018,
- (b) the Climate Action Plan 2019, published by the Department of Environment, Climate and Communications in June, 2019,
- (c) the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, prepared by the Department of Business Enterprise and Innovation in June 2018,
- (d) the Regional Spatial and Economic Strategy for the Eastern and Midlands Region, 2019,
- (e) the policies of the planning authority as set out in the Meath County Development Plan, 2013 to 2019,

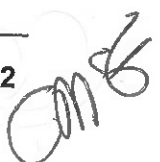
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- (f) the distance to dwellings or other sensitive receptors,
- (g) the submissions made in connection with the application,
- (h) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites, and
- (i) the report and recommendation of the Inspector.

Appropriate Assessment Screening:

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for appropriate assessment, the Board accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on Rye Water Valley/Carton Special Area of Conservation (Site Code: 001398) or on any other European Site, in view of the site's Conservation Objectives.

This screening determination is based on the assessment of the nature of the European Sites identified, the Qualifying Interests/Special Conservation Interests, and the absence of a downstream aquatic or any other connection between the European Site Rye Water Valley/Carton Special Area of Conservation (Site Code: 001398) and the proposed development and the substantial separation distance between any other European Sites and the proposed development.



Environmental Impact Assessment:

The Board completed an Environmental Impact Assessment of the proposed development taking into account:

- (a) the nature, scale, location and extent of the proposed development on a site,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the application,
- (c) the submissions received from the prescribed bodies, planning authority and observers, and
- (d) 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 that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- **The risk of pollution of ground and surface waters during the construction phase** through a lack of control of surface water during excavation and construction, the mobilisation of sediments and other materials during excavation and construction and the necessity to undertake construction activities in the vicinity of existing watercourses. The construction of the proposed project could also potentially impact negatively on ground and surface waters by way of contamination through accidents and spillages. These impacts would be mitigated by the agreement of measures within a Construction and Environment Management Plan, and the implementation of

mitigation measures related to control and management of sediments, accidental spills and contamination, and drainage management.

- The proposed project would give rise to minor localised increase in **vehicle movements and resulting traffic impacts** during the construction and operational phases. These impacts would be mitigated by the agreement of measures within a Construction and Environment Management Plan.
- The project could give rise to minor localised impacts on **residential amenity** during the construction (noise, dust, traffic safety and general disturbance) phase. These impacts would be mitigated by the implementation of measures related to the protection of air quality, control of noise and dust, traffic management and the erection of screening berms.

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, 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.

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 undertaker shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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2. The mitigation measures identified in the Environmental Impact Assessment Report and other plans and particulars submitted with the application, shall be implemented in full by the undertaker, except as may otherwise be required in order to comply with the following conditions.

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

3. The undertaker shall comply with the following requirements:
 - (a) No 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 the road.
 - (c) Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level.
 - (d) Cables within the site shall be located underground.

Reason: In the interest of clarity, of visual and residential amenity, to allow wildlife to continue to have access to and through the site, and to minimise impacts on drainage patterns and surface water quality.

4. The undertaker shall comply with the following nature conservation requirements:
 - (a) No felling or vegetation removal shall take place during the period of 1st March to the 31st August.

- (b) A pre-construction bat survey shall be carried out by a suitably qualified ecologist during the active bat season.
- (c) Any destruction of bat roosting sites or relocation of bat species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage.
- (d) A 30-metre cordon shall be installed around any badger sett entrances, which shall be screened and remain in place throughout the construction works.
- (e) There shall be no artificial lighting of any badger sett entrances during the construction and operational phases of the proposed development.

Reason: In the interest of biodiversity and nature conservation.

- 5. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. All existing hedgerows (except at access track openings) 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 originally 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

7. Prior to commencement of development, the undertaker shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

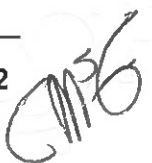
8. The undertaker shall comply with the following specific transportation requirement:

The proposed access on to the R147 shall be temporary. Once the major distributor road has been completed and taken in charge by the planning authority, the proposed development shall be accessed from the major distributor road. The undertaker shall submit details of the closure of the temporary access on the R147 for the written agreement of the planning authority within three months of opening of the permanent access onto the major distributor road.

Reason: In the interest of traffic safety.

9. The construction of the proposed development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, noise management measures, traffic management including management measures for traffic during construction works on public roads, protection of wayleaves, an invasive species management plan and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

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

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

11. The undertaker shall comply with the following aviation requirements:

- (a) Notify the Irish Aviation Authority of its intention to commence crane activities with a minimum of 30 days prior notification of their erection.
- (b) Consult with the Irish Aviation Authority and the Dublin Airport Authority and develop mitigation measures for bird hazards. Details in this regard shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development.

12. The undertaker shall comply with the following archaeological requirements:

- (a) Pre-development archaeological testing shall be undertaken by a suitably qualified archaeologist, licensed under the National Monuments Acts 1930-2004. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her written consent.
- (b) A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the undertaker 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. A copy of the report shall be submitted to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.


- (c) The planning authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall be notified in writing at least four weeks prior to the commencement of any site operations (including hydrological and geotechnical investigations) relating to the proposed development.

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.

13. Prior to commencement of development, the undertaker 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 proposed 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 proposed development.

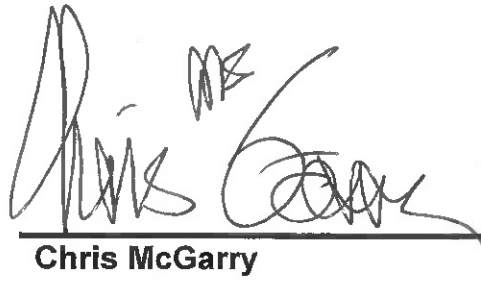
Reason: To ensure the satisfactory completion of the proposed development.

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Schedule of Costs

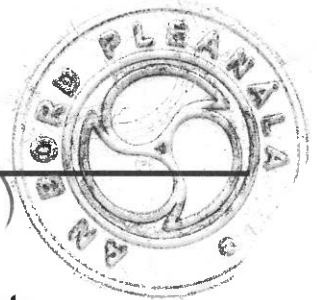
In accordance with the provisions of section 182B of the Planning and Development Act 2000, as amended, the amount due to be reimbursed to the applicant is **€90,119**.

A breakdown of the Board's costs is set out in the attached Appendix 1.



Chris McGarry

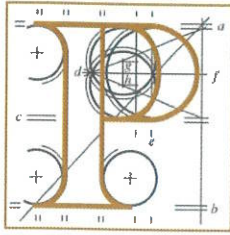
**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this

5th day of *July*

2021



An
Bord
Pleanála

Board Order –
Appendix 1
ABP-308130-20

Strategic Infrastructure Development

Costs of determining the Application

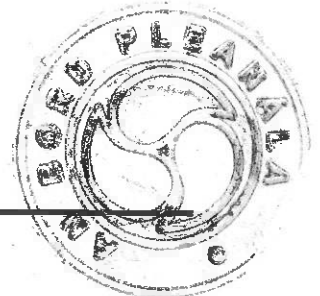
Case Number: ABP-308130-20

Proposed Development: 220kV substation with two underground transmission cables at Bracetown, Gunnocks, Paddingstown, Co. Meath.

Board Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €3,211 Inspector 2 (application) €14,820	€18,031
(2)	Costs invoiced to Board	N/A
	Total chargeable costs	€18,031
Board Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €4,500	€104,500
(4)	Observer fees paid	€150
	Net amount due to be refunded to applicant (including fee refund of €3,500 for pre-application case ABP-305657-19)	€90,119

Chris McGarry

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the seal of the Board.



Dated this 20th day of July 2021