

An
Bord
Pleanála

Board Order ABP-309146-21

Planning and Development Acts, 2000 to 2020

Planning Authority: South Dublin 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 13th day of January, 2021 by CyrusOne Irish Data Centre Holdings Limited care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin.

Proposed Development: The proposed development primarily comprises the provision of two number 110 kilovolt transmission lines and a 110 kilovolt Gas Insulated Switchgear Substation Compound along with associated and ancillary works and is described as follows:

- The proposed 110 kilovolt Gas Insulated Switchgear Substation Compound is to be located on lands to the north-east of the two storey data centre facility and associated three storey office block that was permitted under South Dublin County Council Planning Register Reference Number SD18A/0134/An Bord Pleanála Reference Number ABP-302813-18, and within an overall landholding bound to the north by the Grange Castle South Business Park access road; to the west by the Baldonnell Road and to the south by three number residential properties and the Baldonnell Road; and to the east by the Google data centre facility within the Grange Castle South Business Park, Baldonnell, Dublin. The site of the proposed development has an area of circa 0.9163 hectares.

- The proposed 110 kilovolt Gas Insulated Switchgear Substation Compound includes the provision of a two storey Gas Insulated Switchgear Substation building (with a gross floor area of 1,307.2 square metres) (known as the Aungierstown Substation), two transformers, lighting and lightning masts, car parking, associated underground services and roads within a 2.6 metre high fenced compound and all associated construction and ancillary works.
- Two proposed underground single circuit 110 kilovolt transmission lines will connect the proposed Aungierstown 110 kilovolt Gas Insulated Switchgear Substation to the existing 220 kilovolt/110 kilovolt Castlebaggot Substation to the immediate north-east. The proposed transmission lines cover a distance of approximately 120 metres and 140 metres within the townlands of Ballybane, and Aungierstown and Ballybane.
- The proposed development includes the connections to the two substations (existing and proposed), changes to landscaping permitted under South Dublin County Council Planning Register Reference Number SD18A/0134/An Bord Pleanála Reference Number ABP-302813-18 and all associated construction and ancillary works.

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.

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:

EU legislation including in particular:

- The relevant provisions of EU 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 Legislation including in particular:

- Section 182A of the Planning and Development Act 2000 (as amended).

Regional policy including in particular:

- The Regional Spatial and Economic Strategy for the Eastern and Midlands Region.

Local planning policy including in particular:

- The provisions of the South Dublin County Development Plan, 2016-2022.

The following matters:

- (a) The nature, scale and design of the proposed works as set out in the application for approval and the pattern of development in the vicinity,
- (b) The documentation and submissions of the local authority, the Environmental Impact Assessment Report and associated documentation submitted with the application, and the range of mitigation and monitoring measures proposed,
- (c) The submissions and observations made to An Bord Pleanála in connection with the application,
- (d) The other relevant guidance documents,
- (e) 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
- (f) The report and recommendation of the Inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening and environmental impact assessment.

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 submissions from the applicant, the observers and prescribed bodies in the course of the application, and
- (d) the Inspector's report.

The Board agreed with the summary of the results of consultations and information gathered in the course of the environmental impact assessment, and the

examination of the information contained in the Environmental Impact Assessment Report and the associated documentation submitted by the applicant, and the submissions made in the course of the application as set out in the Inspector's report. The Board was satisfied that the Inspector's report sets out how these various environmental issues were addressed in the examination and recommendation which are incorporated into the Board's decision.

Reasoned Conclusion of the Significant Effects:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

- Positive impacts on **Population and Human Health** in terms of the local economy from increased spending and jobs during the construction period.
- Potential adverse impacts on **Biodiversity** during the construction phase from site clearance, soil-stripping and earthworks, and from surface water carrying silt, hydrocarbons or other chemicals into surface water drainage. A range of mitigation measures will be put in place for the construction phase to prevent water pollution and impacts on flora and fauna.
- Potential adverse impacts on **Water** from silt run-off and incorrect handling of deleterious materials such as lubricants, waste oils and cement. Measures will be put in place such that works are undertaken in accordance with best practice

in relation to the handling and storage of fuels, oils, chemicals and stockpiles, and the Construction Environmental Management Plan (CEMP) will also provide a framework for water quality protection during construction.

Having regard to the above, it is considered that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Board is satisfied that the reasoned conclusion is up to date at the time of making the decision.

Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with national, regional and local planning and related policy, would not have an unacceptable impact on 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 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.

Reason: In the interest of clarity.

2. The mitigation measures identified in the Environmental Impact Assessment Report and other plans and particulars submitted with the planning application, shall be implemented in full by the undertaker in conjunction with the timelines

set out therein, except as may otherwise be required in order to comply with the conditions of this permission.

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

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

4. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. 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. The landscaping and screening shall be maintained at regular intervals.

Reason: To blend it into its surroundings in the interest of visual amenity.

5. A wildflower management plan shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

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

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 Construction Environmental Management Plan (CEMP) included in the Environmental Impact Assessment Report. The Construction Environmental Management Plan (CEMP) shall incorporate the following:

- (a) a detailed plan for the construction phase incorporating, inter alia, the 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 planning application and supporting documentation during the construction period,
- (c) an emergency response plan, and
- (d) 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 (CEMP) 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 preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the undertaker shall:
- (a) notify the local authority in writing at least four weeks prior to the commencement of any site operations (including hydrological and geotechnical investigations) relating to the proposed development.
 - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. 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 site and to secure the preservation and protection of any remains that may exist within the site.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, a Traffic Management Plan and a Waste Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

9. Prior to commencement of development, the undertaker shall agree in writing with the planning authority a lighting scheme for the proposed development.

Reason: In the interest of orderly development.

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 **€78,029**.

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

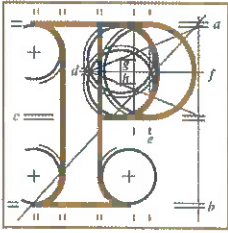


Dave Walsh

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



Dated this *19th* day of *July* 2021



Strategic Infrastructure Development

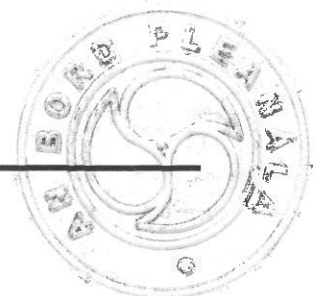
Costs of determining the Application

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Board Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €3,952 Inspector 2 (application) €19,019	€22,971
(2)	Costs invoiced to Board	N/A
	Total chargeable costs	€22,971
Board Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €1,000	€101,000
(4)	Observer fees paid	N/A
	Total	€101,000
	Net amount due to be refunded to applicant	€78,029

Dave Walsh
Member of An Bord Pleanála
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the seal of the Board.



Dated this 19th day of July 2021