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**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Fingal County Council**

**Application** for approval under section 182A(1) of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 12<sup>th</sup> day of December 2023 by Energia Solar Holdings Limited care of AECOM, 4<sup>th</sup> Floor Adelphi Plaza, Georges Street Upper, Dun Laoghaire, County Dublin.

**Proposed development:** The proposed development, consisting of:

- (i) A 110 kilovolt Air Insulated Switchgear (AIS) tail-fed substation compound, consisting of a single storey 110 kilovolt Air Insulated Switchgear substation building (total floor area comprising circa 450 metres squared, height approximately 6.3 metres); medium voltage (MV) switchgear container and switchboard total floor area comprising circa 60 metres squared; 110 kilovolt grid transformer and two number house transformers within bunded enclosures (approximately 6 metres high); diversion of existing 38 kilovolt overhead line (OHL); 160 medium voltage transformer positioned within bunded enclosures (height approximately 6 metres); a shunt filter; diesel generator and diesel tank; twelve number lightning protection masts (height approximately 20 metre); 2.6 metres high perimeter palisade fencing and post and rail (1.4 metres high) fencing; internal separation fencing (2.6 metres high).

- (ii) Grid Connection consisting of a 13.3 kilometre underground 110 kilovolt cable connection to Finglas Substation to facilitate connection to National Grid; approximately 20 number joint bays primarily within public roadways; trenchless installation in the form of horizontal directional drilling (HDD) will be used at the following locations: Broadmeadow River Bridge, Ward River Bridge on R122 and under the N2 prior to entering Finglas Substation.

In addition to the above, the proposed development will include a new site entrance off the R122, internal access roads and car parking, drainage infrastructure and all associated and ancillary site development works including localised alterations to the landscape.

All within the townlands of Fieldstown, Clonmethan Electoral District, County Dublin.

## **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.

## Reasons and Considerations

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

- (a) the nature, scale and extent of the proposed development,
- (b) the pattern of development within the area and context of the receiving environment,
- (c) the national targets for renewable energy contribution to the overall national grid,
- (d) the national, regional and local policy support for developing renewable energy, in particular the decision is consistent with the provisions of the:
  - (i) Climate Action Plan 2024
  - (ii) Climate Action and Low Carbon Development Act 2015 (as amended)

And had regard to:

- (iii) Project Ireland 2040 National Planning Framework (2018)
- (iv) The National Biodiversity Action Plan 2023-2030
- (v) the Eastern and Midlands Regional Spatial & Economic Strategy 2019-2031
- (vi) the Fingal County Development Plan 2023-2029,
- (e) measures proposed for the construction, operation and decommissioning of the development,
- (f) the submissions on the file,
- (g) the Inspector's report,
- (h) the documentation submitted with the application, and
- (i) 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 any likely significant effects of the proposed development on European Sites.

### **Appropriate Assessment Screening**

The Board completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, distance from and weak indirect connections to the European Sites, no ex-situ impacts on wintering birds, the screening for appropriate assessment submitted with the application, the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Site Malahide Estuary Special Area of Conservation (Site Code: 000205) or Malahide Estuary Special Protection Area (Site Code: 004025) or any other European Site, in view of the sites' conservation objectives, an Appropriate Assessment (and submission of a Natura Impact Statement) is not therefore required.

### **Environmental Impact Assessment Screening**

The Board completed an Environmental Impact Assessment Screening exercise and Having regard to:

1. The criteria set out in Schedule 7, in particular:
  - (a) the nature and scale of the proposed 110kv Air Insulated Substation (AIS) tail-fed substation compound with associated equipment and grid connection comprising of a 13.3 kilometre underground 110kV cable connection from the proposed substation to Finglas Substation to facilitate connection to the national grid. Development in an area mainly consisting of grassland, with the grid connection route underground.
  - (b) The absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone.

- (c) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended).
2. The results of other relevant assessments of the effects on the environment submitted by the applicant including and Environmental Considerations Report, a Flood Risk Assessment, an Outline Construction Environmental Management Report and an Appropriate Assessment Stage 1 Screening Report.
  3. The features and measures proposed by the undertaker envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the proposal to prepare a final Construction Environmental Management Report which contains all relevant construction standards and embedded mitigation measures.
  4. The Inspector's report concluded that the proposed development would not be likely to have significant effects on the environment, and that an Environmental Impact Assessment Report was not required.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an Environmental Impact Assessment is not required.

### **Proper Planning and Sustainable Development**

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have an unacceptable impact on the character of the landscape or on cultural heritage, would not seriously injure the visual and residential amenities of the area, would be acceptable in terms of public health, traffic safety, would not have undue impacts on surrounding land uses, would not have an unacceptable impact on ecology or on any European Site, would not lead to an increased risk of flooding within the site or adjoining lands, and would make a positive contribution to Ireland's requirements for renewable energy in accordance with national, regional and local policy. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application dated 12<sup>th</sup> December 2023, 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 in accordance with the agreed particulars.

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

2. All mitigation, environmental commitments and monitoring measures identified in the Environmental Consideration Report shall be implemented.

**Reason:** To protect the environment.

3. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan (CEMP) which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The Construction Environmental Management Plan shall incorporate, but is not limited to, the following:

- (a) Construction Stage Traffic Management Plan, to include all traffic and transport mitigation measures, timing and routing of construction traffic to and from the construction site, associated directional signage and arrangements for the delivery of abnormal loads to the site.
- (b) Details of all works along the National, Regional and Local Road network to comply with appropriate guidelines.
- (c) Describe all identified likely archaeological impacts and mitigation measures.
- (d) Invasive species management plan.
- (e) Measures to minimise noise and vibration.



- (f) Measures to protect soils, ground and surface water and hedgerows.
- (g) Arrangements for water quality monitoring and reporting to the planning authority, upstream and downstream of the development site, prior to, during and post construction works.

A record of daily checks that the construction works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept at the construction site office for inspection by the planning authority. The agreed Construction Environmental Management Plan shall be implemented in full in the carrying out of the development.

**Reason:** In the interests of amenities, environmental protection and safety.

4. Prior to the commencement of development, the undertaker shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The Resource Waste Management Plan shall include specific proposals as to how the Resource Waste Management Plan will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The Resource Waste Management Plan must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed Resource Waste Management Plan shall be made available for inspection at the site office at all times.

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

5. (a) 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.

- (b) All works in the vicinity of watercourses shall be in accordance with the recommendations in Inland Fisheries Ireland's Guidance Document on Protection of Fisheries during Construction Works in and adjacent to Waters, 2016 and shall be referred to in the Construction and Environmental Management Plan (CEMP) and shall be supervised by an Ecological Clerk of Works and Project Hydrologist.
- (c) Where Horizontal Directional Drilling (HDD) is to be utilised under watercourses, appropriate plans and details shall be submitted to and agreed with the planning authority in collaboration with Inland Fisheries Ireland in advance of any construction to ensure avoidance of damage to any watercourse. Details of the methods to be employed shall be agreed in writing with the planning authority.
- (d) Any new surface water outfalls which may be required as a result of laying the underground cable, shall be constructed in a manner which protects riparian habitat and does not result in excessive erosion of such habitat.

**Reason:** In the interests of environmental protection and public health and habitat protection.

- 6. The undertaker shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeology testing of all greenfield areas within the development redline boundary and to submit an Archaeological Impact Assessment Report for written agreement of the planning authority, following consultation with the department, in advance of any site preparation works of groundworks, including site investigative works, topsoil stripping, site clearance or construction works.
  - (a) 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 (archaeological excavation) and/or archaeological monitoring may be required.



- (b) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage. shall be complied with by the undertaker.
- (c) No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approved to proceed is agreed in writing with the planning authority.

**Reason:** To ensure the continued preservation (either in-situ or by record) of places, caves, sites features or other objects of archaeological interest.

7. The planning authority and National Monuments Service of the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the development.

**Reason:** To ensure the continued preservation (either in-situ or by record) of places, caves, sites features or other objects of archaeological interest.

8. Where Horizontal Directional Drilling (HDD) is to be utilised along the public road network, appropriate plans and details shall be submitted to and agreed with the planning authority in collaboration with Transport Infrastructure Ireland in advance of any construction to ensure avoidance of damage to the national road infrastructure, including structures, associated embankments, drainage and communication ducts.

**Reason:** In the interests of the proper planning and sustainable development of the area and to protect the integrity and carrying capacity of the national road network.

9. A pre-condition survey will be carried out on all public roads and bridges that will be used in connection with the development to record the condition of the public

roads in advance of construction commencing. A post-construction survey will also be carried out after the works are completed. The specification and timing of the surveys will be agreed with the planning authority

**Reason:** In the interest of orderly development.

10. Prior to the commencement of development, the undertaker shall agree details for all crossings above and below any public utility assets with the planning authority following consultation with the relevant utility providers. All detailed designs including separation distances shall be in accordance with relevant Technical Standards, Codes of Practice, Standard Details and other associated requirements.

**Reason:** To protect existing utility Infrastructure.

11. (a) All lighting shall be operated in such a manner as to prevent light overspill to areas outside of compounds and work areas.
- (b) Prior to the commencement of development, the undertaker shall submit a detailed lighting plan for the written agreement of the planning authority. The plan shall include the type, duration, colour of light and direction of all external lighting to be installed within the external areas of the development site. Proposals should ensure that the area is adequately lit without using more light than necessary, eliminate or minimise glare and excessive lighting, prevent light trespass and minimise skyglow.

**Reason:** In the interests of clarity, and of visual and residential amenity and protection of local biodiversity.

12. Prior to commencement of the development, the undertaker shall submit final design details to be agreed with the planning authority in relation to the proposed site access, including vehicle entry splays, access gate and boundary treatment and to provide solutions to prevent the large overrun area from being unnecessarily accessible.

**Reason:** In the Interests of traffic safety.

13. Prior to commencement of the development, the undertaker shall submit a detailed Lightning Protection Study for written agreement with the planning authority. The study should clearly demonstrate the optimal layout and configuration for the proposed lightning masts required to protect the proposed substation development.

**Reason:** In the Interests of visual and residential amenity.

14. Prior to commencement of the development, a detailed Landscaping Plan shall be prepared for the entire substation site and agreed with the planning authority. The plan shall include all proposed planting at both permitted fencing around the substation compound and boundary screening to the site, specifying species type and mix to be provided.

**Reason:** In the interest of visual amenity.

15. Prior to commencement of the development, the undertaker shall submit to the planning authority for written agreement, details of all finishes of structures such as lightning protection masts, buildings, roof finishes, lighting poles.

**Reason:** In the interest of visual amenity.

16. The undertaker shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

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

17. Site development and building works shall be carried out only between the hours of 0800 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.

18. Prior to commencement of development, the undertaker shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with 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. The form and amount of the security shall be as agreed between the planning authority and the undertaker or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the 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 **€84,304**

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

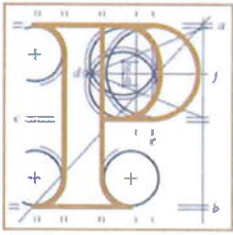


**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this *29<sup>th</sup>* day of *Jan.* 2025



An  
Bord  
Pleanála

Board Order –  
Appendix 1

ABP-318677-23


## Strategic Infrastructure Development

### Costs of determining the Application

Case Number: ABP-318677-23

**Proposed Development:** 110kV Air Insulated Switchgear (AIS) tail-fed substation compound, combined with a 110kV underground cable connection to Finglas within the townlands of Fieldstown, Clonmethan Electoral District, Co.Dublin.

Board Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €2,868 Inspector 2 (application) €17,328	€20,196
(2)	Costs invoiced to Board	N/A
	<b>Total chargeable costs</b>	<b>€20,196</b>
Board Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €4,500	€104,500
(4)	Observer fees paid	N/A
	<b>Total</b>	<b>€104,500</b>
	Net amount due to be refunded to applicant	<b>€84,304</b>

  
Tom Rabbette

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

Dated this 29<sup>th</sup> day of Jan 2025