An Bord Pleanála

NA hACHTANNA UM PLEANÁIL AGUS FORBAIRT 2000 GO 2015
PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Contae Dhún na nGall
Donegal County

Uimhir Thagartha an Bhoird Phleanála: 05.VM0010
An Bord Pleanála Reference Number: 05.VM0010

(Uimhir Thagartha an Iarratais a bhaineann leis 05.VA0003)
(Associated Application Reference Number 05.VA0003)

IARRATAS a fuair An Bord Pleanála ar an 19 Deireadh Fómhair, 2015 ó ESB Networks Ltd agus ó EirGrid plc faoi chúram ESB International, Cúirt Stiabhna, 18-21 Faiche Stiabhna, Baile Átha Cliath faoi alt 146B faoi Acht um Pleanáil agus Forbairt, 2000, arna leasú, mar gheall ar fhorbairt bonneagair straitéisigh a thuairiscítear mar an Tionscadal Kilovolt 110 Dhún na nGall, Contae Dhún na nGall.

REQUEST received by An Bord Pleanála on the 19th day of October, 2015 from ESB Networks Ltd and EirGrid plc care of ESB International, Stephen Court, 18-21 St. Stephen's Green, Dublin under section 146B of the Planning and Development Act, 2000, as amended, in respect of a strategic infrastructure development described as the Donegal 110 Kilovolt Project, County Donegal.

AN LEASÚ ATÁ BEARTAITHE: Tá na trí hathrú seo mar chuid den leasú:

- Stáisiún Lascacháin a bhí ceadaithe cheana féin a athlonnú ó Thaobh Breac go dtí suíomh nua ag Droim an Locha.

- Ceithre chuaille sa bhreis a thógáil (177, 178, 179, 180) agus ceann eile ag an deireadh (181) a thógáil ar an líne 110 kilovolt idir Ard na gCeapairí agus Taobh Breac agus dhá chuaille uillinne sa bhreis (130a, 130b) ar an líne

110 kilovolt idir An Bhinn Bhán agus Leitir Ceanainn rud a éascaíonn stáisiún lascacháin nua a thógáil. Is gá le trí cinn de chuaillí uillinne shealadacha a thógáil (T1, T2, T3) le linn na tógála le haghaidh an líne idir An Bhinn Bhán agus Leitir Ceanainn a atreorú toisc nach bhfuil sé ceadaithe obair faoi líne atá beo. Baintear na struchtúir seo chomh luath is a mbeidh an obair críochnaithe.

- Mionathruithe a dheanamh ar láthair na structúr (27, 29, 82, 117, 160, 166, 169, 172, 176) ar an líne 110 kilovolt idir Ard na gCeapairí agus Taobh Breac atá ceadaithe. Beidh na hathruithe seo ar an ailíniú céanna agus ní athrófar an chonair bhealaigh.

PROPOSED ALTERATION: The proposed alteration comprises three elements as follows:

- Relocation of the previously approved switching station located at Tievebrack to a new site at Drumnalough.

- Construction of four number additional polesets (177, 178, 179, 180) and one number end mast (181) on the Ardnagappary to Tievebrack 110 kilovolt line and two number additional angle masts (130a, 130b) on the Binbane to Letterkenny 110 kilovolt line to facilitate the new switching station location. Three number temporary angle masts are also required (T1, T2, T3) during construction to divert the live Binbane to Letterkenny 110 kilovolt line as it is not permitted to work under a live line. These structures will be removed once construction is completed.

- Minor movements of structures (27, 29, 82, 117, 160, 166, 169, 172, 176) on the approved Ardnagappary to Tievebrack 110 kilovolt line route. These moves will be along the same alignment and will not alter the route corridor.

DE BHRÍ go bhfuil cinneadh déanta ag an mBord cead, faoi réir coinníollacha a thabhairt don fhorbairt de réir ordaithe dátaithe 27 Deireadh Fómhair, 2009,

AGUS DE BHRÍ go bhfuil iarratas faighte ag an mBord téarmaí na forbartha a athrú, an fhorbairt atá faoi réir an cheadaithe,

AGUS DE BHRÍ go measann an Bord go mbeadh athrú ábhartha i gceist de bharr na n-athruithe atá beartaithe,

AGUS DE BHRÍ gur ghair an Bord na forálacha faoi alt 146B(8)(a) faoin Acht um Pleanáil agus Forbairt, 2000, arna leasú, agus chuir an Bord cuireadh chuig an bpobal aighneachtaí a dhéanamh faoin ábhar,

AGUS DE BHRÍ go ndearnadh measúnú ar gach cáipéis agus ar gach aighneacht a bhí ar an gcomhad agus go ndearnadh measúnú ar thuarascáil an Chigire, mheas an Bord nár dhócha go mbeadh éifeacht shuntasach ar an gcomhshaol nó ar aon láithreán Eorpach ag an athrú atá beartaithe,

DÁ BHRÍ SIN i gcomhréir lena chumhachtaí faoi alt 146B(3)(a) den Acht um Pleanáil agus Forbairt, 2000, arna leasú, athraíonn an Bord Pleanála an cinneadh thuasluaite i dtreo is go mbeidh athrú i gceist ar an bhforbairt atá ceadaithe de réir na líníochtaí agus na sonraí a bhí curtha faoi bhráid an Bhoird Pleanála in éineacht leis an iarratas ar an 19ú lá de Dheireadh Fómhair, 2015.

WHEREAS the Board made a decision to approve, subject to conditions, the development by order dated the 27th day of October, 2009,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the approval,

AND WHEREAS the Board considered that the proposed alteration would result in a material alteration to the terms of the development, the subject of the approval,

AND WHEREAS the Board invoked the provisions of section 146B(8)(a) of the Planning and Development Act, 2000, as amended, to invite submissions or observations in relation to the matter from members of the public,

AND WHEREAS having considered all of the documents and submissions on file and the Inspector's report, the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(b)(i) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the approved development shall be altered in accordance with the plans and particulars received by the Board on the 19th day of October, 2015.

NA hÁBHAIR CURTHA SAN ÁIREAMH

I ndéanamh a chinnidh, thug an Bord Pleanála aird do na nithe úd a raibh dualgas air, de bhun na n-Achtanna um Pleanáil agus Forbairt agus na Rialachán arna ndéanamh fúthu, aird a thabhairt dóibh.

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.

CÚISEANNA AGUS TUISCEANNA

Chun cinneadh a dhéanamh, thug an Bord aird do na nithe seo a leanas:

(a) Ag féachaint do théarmaí agus do choinníollacha na forbartha atá ceadaithe cheana féin, forbairt a bhaineann le líne leictreachais lasnairde 110kV agus le stáisiún lascacháin, 05.VA0003. Is athrú ábhartha é an t-athrú atá beartaithe,

(b) Is iad na cúiseanna taobh thiar de na hathruithe ábhartha atá beartaithe ná:

  (i) go rinneadh mionscrúduithe deimhniúcháin ar an suíomh, san áireamh ar an suíomh ina bhfuil sé beartaithe Stáisiún Lascacháin Thaobh Breac a thógáil. Nuair a rinneadh athmheasúnú faoin suíomh de réir na modheolaíochta is deireanaí maidir le meastóireacht riosca, nós atá glactha ag ESB Idirnáisiúnta ó 2008, cuireadh an suíomh le haghaidh Stáisiún Lascacháin Thaobh Breac a thógáil i gcatagóir ina bhfuil riosca suntasach ag baint leis. Rinneadh é sin mar gheall ar dhoimhneacht na móna atá ar an suíomh, chomh maith le staid na talún, ina theannta leis an gcor chuige is deireanaí le haghaidh measúnú riosca a dhéanamh ar chobhsaíocht mhóna; mar gheall ar na rudaí sin, doimhneacht na móna atá deimhnithe, topagrafaíocht an tsuímh agus nádúr na móna is léir go bhfuil seans go dtarlódh éagobhsaíocht méadaithe anois; is é an phríomh-imní ná go dtarlódh sciorradh móna le linn nó i ndiaidh thógáil na forbartha agus go mbeadh truailliú i gceist dá bharr sin ar chóras Abhainn Shrath Chaisil, acmhainn íogair atá fíor-thábhachtach ó thaobh éiceolaíochta de, agus

  (ii) glanspás a dhéanamh ionas nach mbeadh aon chur isteach ar na sruthanna nó ar an topagrafaíocht, drochstaid talún a sheachaint agus de bharr coimhlinte le línte lasnairde eile tá impleachtaí ann maidir leis na hathruithe,

(c) forálacha Phlean Forbartha Contae Dhún na nGall 2012-2018,

(d) na cáipéisí a cuireadh os comhair an Bhoird, san áireamh an ráiteas tionchair Natura, na haighneachtaí ar an gcomhad, san áireamh aighneachtaí ó na comhlachtaí forordaithe, agus

(e) tuarascáil agus moladh an Chigire.

REASONS AND CONSIDERATIONS

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

(a) the terms and conditions of the existing approval for the overhead 110 kilovolt electricity line and switching station, 05.VA0003, of which the proposed alteration is a material alteration,

(b) the reasons for the proposed material alterations:

(i) that detailed confirmatory site investigations which have been carried out, including at the approved Tievebrack Switching Station site and re-evaluation of the site in accordance with updated risk evaluation methodology adopted by ESB International since 2008, have placed the Tievebrack Switching Station site in the significant risk category, due to the depths of peat present at the site, the prevailing ground conditions, and an updated approach to peat stability site risk assessment; such that the confirmed peat depths coupled with the topography of the site and the nature of the peat have indicated increased potential for instability; with the primary concern being that peat slippage during or post construction phases could cause contamination of the Stracashel River system, an ecologically important and sensitive resource, and

(ii) that stream clearance, topographic clearance, and avoidance of adverse ground conditions and of conflict with other overhead lines give rise to other aspects of the alterations,

(c) the provisions of the Donegal County Development Plan 2012-2018,

(d) the documentation submitted, including the Natura impact statement, and submissions on file, including submissions from prescribed bodies, and

(e) the report and recommendation of the Inspector.

Tástáil i leith Measúnacht Chuí

D'aontaigh an Bord leis an scagadh maidir le measúnacht chuí agus leis na conclúidí atá le fáil i dtuarascáil an Chigire ina ndeirtear go bhfuil an dóchúlacht ann go mbeidh impleachtaí suntasacha i gceist do na Láithreáin Eorpacha seo a leanas: Limistéar faoi Chaomhnú Speisialta taobh Thiar d'Ard an Rátha / An Más (Cód an tSuímh: 000197), Limistéar faoi Chaomhnú Speisialta Phortach Chlochar na nGabhar agus Pháirc Náisiúnta Ghleann Bheatha (Cód an tSuímh: 002047), Limistéar faoi Chosaint Speisialta Shléibhte Dhoire Bheatha agus Ghleann Domhain (Cód an tSuímh: 004039) agus Limistéar faoi Chaomhnú Speisialta Bhá Ghaoth Dobhair agus na n-Oileán (Cód an tSuímh: 001141).

Appropriate Assessment Screening

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the West of Ardara / Maas Road Special Area of Conservation (Site Code: 000197), Cloghernagore Bog and Glenveagh National Park Special Area of Conservation (Site Code: 002047), Derryveagh and Glendowan Mountains Special Protection Area (Site Code: 004039) and Gweedore Bay and Islands Special Area of Conservation (Site Code: 001141) are European Sites for which there is a likelihood of significant effects.

Measúnacht Chuí

Mheas an Bord nádúr, scála agus comhthéacs an athraithe bheartaithe, an ráiteas tionchair Natura, na cáipéisí a cuireadh leis an iarratas, na haighneachtaí ar an gcomhad, na bearta maolaithe atá beartaithe agus tuarascáil an Chigire. Rinne an Bord measúnacht chuí ar impleachtaí na forbartha atá beartaithe ar na suíomhanna seo a leanas: Limistéar faoi Chaomhnú Speisialta taobh Thiar d'Ard an Rátha / An Más (Cód an tSuímh: 000197), Limistéar faoi Chaomhnú Speisialta Phortach Chlochar na nGabhar agus Pháirc Náisiúnta Ghleann Bheatha (Cód an tSuímh: 002047), Limistéar faoi Chosaint Speisialta Shléibhte Dhoire Bheatha agus Ghleann Domhain (Cód an tSuímh: 004039) agus Limistéar faoi Chaomhnú Speisialta Bhá Ghaoth Dobhair agus na n-Oileán (Cód an tSuímh: 001141). Mheas an Bord nach mbeadh drochthionchar ag an bhforbairt, ina haonar nó i gcomhar le beartais nó le tionscadail eile, ar aon láithreán Eorpach, ag féachaint do spriocanna caomhnaithe an tsuímh, agus glacadh le tuarascáil an Chigire i dtaca leis seo.

Appropriate Assessment

The Board considered the nature, scale and context of the proposed alteration, the Natura impact statement, the documentation submitted with the request, the submissions on file, the mitigation measures proposed, and the report of the

Inspector. The Board undertook an appropriate assessment of the effects of the proposed development on the West of Ardara / Maas Road Special Area of Conservation (Site Code: 000197), Cloghernagore Bog and Glenveagh National Park Special Area of Conservation (Site Code: 002047), Derryveagh and Glendowan Mountains Special Protection Area (Site Code: 004039) and Gweedore Bay and Islands Special Area of Conservation (Site Code: 001141). The Board concluded that the proposed development, by itself, or in combination with other plans or projects, would not be likely to adversely affect the integrity of these European Sites, in view of the sites' conservation objectives, and adopted the report of the Inspector in this respect.

Scagadh maidir le Measúnú ar an Tionchar Timpeallachta

Mheas an Bord na himpleachtaí a d'fhéadfadh a bheith ann de bharr na forbartha atá beartaithe don timpeallacht. Ag déanamh a chinnidh chuir an Bord na rudaí seo a leanas san áireamh:

(a) Doiciméad um scagadh measúnú ar an tionchar timpeallachta a cuireadh leis an iarratas,

(b) Na haighneachtaí ar an gcomhad, agus,

(c) tuarascáil an Chigire.

Tá an Bord sásta nach dóigh go mbeadh aon éifeacht shuntasach ag an athrú atá beartaithe ar an timpeallacht. Dá bhrí sin, mheas an Bord nach raibh aon ghá ráiteas tionchair timpeallachta a dhéanamh.

Environmental Impact Assessment Screening

The Board considered the potential environmental impacts that might arise due to the proposed alteration. In making its decision the Board took into account:

(a) the environmental impact assessment screening document received with the request,

(b) the submissions on file, and

(c) the Inspector's report.

The Board is satisfied that the proposed alteration would not be likely to have significant effects on the environment. The Board, therefore, concluded that the preparation of an environmental impact statement is not required.

Conclúid mar gheall ar Phleanáil Chui agus ar Fhorbairt Inbhuanaithe

Mheas an Bord nach mbeadh éifeacht shuntasach ag an athrú atá beartaithe ar an tírdhreach nó ar oidhreacht seandálaíochta nó ar oidhreacht chultúrtha an cheantair, agus nach mbeadh aon impleacht shuntasach ar oidhreacht nádúrtha na háite nó ar aon láithreán Eorpach nó ar aon speiceas faoi chosaint, go mbeadh an fhorbairt inghlactha maidir le sábháilteacht tráchta agus maidir le háisiúlacht d'úsáideoirí bóithre. Dá bhrí sin, bheadh an t-athrú atá beartaithe ar aon dul le pleanáil chuí agus le forbairt inchothaithe an limistéir

Conclusion on Proper Planning and Sustainable Development

The Board concluded that the proposed alteration would not have a significant effect on the landscape or upon the archaeological or cultural heritage of the area, would not give rise to any significant impact on the natural heritage of the area or affect the integrity of any European site or any protected species, and would be acceptable in terms of traffic safety and convenience of road users. The proposed alteration would, therefore, be in accordance with the proper planning and sustainable development of the area.

Ball den Bhord Pleanála a bhfuil údarás aige/aici séala an Bhoird a fhíordheimhniú.

Dátaithe ar an lá seo de 2016.