An Bord Pleanála

Inspector's Report PL09.248582

Development	Revised design of previously permitted manufacturing building over four levels including support areas, roof mounted stacks and equipment ranging in height up to 24 metres above parapet.
Location	Blakestown, Kellystown, Collinstown Industrial Park, Leixlip, Co. Kildare.
Planning Authority	Kildare County Council.
Planning Authority Reg. Ref.	16/1229
Applicant(s)	Intel Ireland Ltd
Type of Application	Planning Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Tania Wynne Thomas Reid
Observer(s)	Emmet Stagg Mr. Peter Sweetman and Wild Ireland
Date of Site Inspection	21/07/2017.
Inspector	A. Considine

Contents

1.0 Site Location and Description

1.1. The subject appeal site is located within the Intel Ireland Ltd. manufacturing complex located at Collinstown Industrial Park, Leixlip. The plant is located within the townlands of Collinstown, Blakestown & Kellystown, Co. Kildare approximately 2.5km to the northwest of Leixlip town centre. The existing Intel plant covers an overall landholding of approximately 146 hectares, which comprises the full Collinstown Industrial Park site. The subject proposed site comprises an area of 47.8ha within this overall landholding. The bulk of the proposed development site lies to the west of the plant, with the development proposal also affecting an area to the east of the main plant buildings. The wider site is currently occupied by the buildings associated with the Intel plant and include the manufacturing / industrial buildings as well as the extensive car parking areas and landscaping. There is evidence of ongoing works being undertaken at the site, including site clearance works and site levelling.

1.2. The Intel campus also includes Blakestown House, located in the south western corner of the site. This is a two-storey 18th Century farmhouse with associated stable buildings which have been converted for use as a meeting / conference space. The area to the east of the existing main plant buildings, consists of a number of porta-cabin type buildings as well as building IR96 and its associated surface car parking areas.

1.3. The site is bound to the south by the R148 (Leixlip-Maynooth) Regional Road. Access to the Intel plant is from this road and the R449 Regional Road forms a link road between the Intel site and the M4 motorway which lies approximately 1km to the south. Kellystown Lane, a local roadway serving the wider rural area to the north of the site forms the western boundary of the subject site. The Board will note that the appellants to this appeal, reside on Kellystown Road. The Rye River, which traverses the overall Intel lands, forms part of the northern boundary of the proposed development site and the eastern boundary bounds a parcel of third party lands. Beyond these third party lands lies the M4 and the Royal Canal. This eastern site boundary is screened from the wider area with a high berm.

2.0 **Proposed Development**

2.1. Permission is being sought, as per the public notices, as follows**:**

The proposed development will consist of a revised design and configuration for component parts of the previously permitted manufacturing facility, Planning Register Reference 12/435 and PL09.241071.

The development will consist of buildings, site infrastructure and ancillary works for the manufacture of integrated circuits. A 10-year planning permission is requested.

The proposed development comprises:

- Revised design and configuration of previously permitted manufacturing building, over four levels (parapet height of 31m), with a total floor area of 88,740m², including support areas and roof mounded stacks and equipment, ranging in height from 6 metres to 24 metres above parapet.
- Revised design and configuration of previously permitted utility support buildings consisting of;
    - i) two level boiler and chiller building and associated roof mounted cooling towers, sized 3,808m² and 18.5m high
    - ii) a two level water treatment building, sized 2,375m² and 11.7m high,
    - iii) a two level waste water treatment building, sized 2,407m² and 14.8m high and a single level water purification building sized 247m² and 9m high,
    - iv) single storey electrical support buildings, sized 162m² and 6m high, sized 72m² and 6m high, sized 281m² and 10.8m high, and associated equipment housings,
    - v) a two level air compressor building sized 1,533m² and 9.5m high.
- A previously permitted multi storey car park accommodating 2,200 cars, 63,047m² and 15m high.

- Previously permitted chemical store, 1,245m² and 10m high, and 5 number water tanks 32m in diameter and 7m high, and a pump house 147m² and 5m high.
- Revised design and configuration of previously permitted other ancillary works include new underground utilities, a two storey elevated link structure to the east of the proposed manufacturing building sized 4,647m² and 25m high, landscaping, new fencing and screening berms, yard structures for all buildings, bulk storage yard for gasses and liquids with 2 number roofed compounds sized 240m² and 5m high, 2 no. sprinkler tanks and associated pump houses sized 36m² and 5m high, pipe bridge structure, 7 no. emergency generators and their associated stacks, 24m high and a new surface water retention pond. The works will also include the demolition of a redundant electricity substation sized 108m² and 4.2m high. The works will also include new internal road layouts throughout and modifications to the main central vehicular entrance together with realignment and widening to the R148 road.

- This application consists of a variation to a previously permitted development for an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended for the Protection of the Environment Act 2003) is required and full details of the proposed development and its anticipated environmental impacts will be notified to the Environmental Protection Agency. An Environmental Impact Statement and a Natura Impact Statement accompany this application.
- This is a site to which the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) applies.

2.2. In support of the proposed development, the planning application was accompanied by the following:

- Accompanying documents, plans, particulars, completed planning application form, public notices and relevant fee
- Planning report

- Environmental Impact Statement & Non-Technical Summary
- Natura Impact Statement
- Seveso Report
- Flood Risk Assessment
- Traffic & Transport Assessment
- Road Safety Audit
- Mobility Management Plan
- Surface Water Drainage Plan
- Landscape Plan and Report
- Tree Survey
- Letter of consent from Kildare County Council Roads Section in relation to roads.

2.3. The Planning Authority sought further information in relation to the following:

- Traffic and transportation
- Hydrogeology
- Ecology and biodiversity

3.0 Planning Authority Decision

3.1. Decision

Kildare County Council decided, following the submission of a response to a request for further information from the applicant, to grant planning permission for the proposed development subject to 47 conditions. The conditions are standard in general and deal with a variety of issues including as follows:

- Conditions 14, 15 and 17 relate to the preparation of a Mobility Management Plan and facilities for pedestrians and cyclists
- Conditions 18, 19, 20, 21 relate to roads infrastructure improvements including signalised traffic lights

- Conditions 23 and 24 deal with Road Safety Audits
- Conditions 31 to 36 deal with surface waters and services
- Conditions 37 to 40 require the implementation of mitigation measures identified within the Natura Impact Statement, the Environmental Impact Statement and all other documents and plans submitted in support of the proposed development.
- Conditions 41 to 44 relate to monitoring during the construction phase

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report advises that in principle, the proposed development is acceptable and complies with the zoning objective for the lands. In addition to the assessment of planning issues, the report also presents an Environmental Impact Assessment (EIA), and an Appropriate Assessment (AA) Screening Report and Conclusion Statement. The planning report concludes that the proposed development is acceptable in principle and that planning permission should be granted, subject to 47 conditions.

The Chief Executive also presents a short report noting the EIA carried out by the Executive Planner and concludes that it is considered that all anticipated effects on the environment from the proposed development have been comprehensively evaluated in the EIA report. The nature and extent of the anticipated effects on the environment as identified in the EIA Report can be suitably mitigated, reduced and/or avoided, where required, subject to specific conditions in the grant of planning permission.

3.2.2. Other Technical Reports

Celbridge / Leixlip Municipal District Office: No objection subject to the inclusion of a condition requiring the submission of a formal Project Construction and Demolition Waste Management Plan for agreement prior to the submission of a commencement notice. All haulage routes for delivery of materials and removal of waste shall be identified and agreed with and by the Local Authority Transportation Directorate.

Environmental Health Officer (EHO): Advises no objection to the proposed development subject to compliance with the proposed mitigation measures for noise and vibration, dust and emissions to air.

National Roads Office (Kildare County Council): The report notes that the current proposal provides for significantly reduced buildings from the previously permitted application. The mitigation measures proposed in terms of roads and transportation are noted with the primary concern relating to the impact on the operation of Junction 6 on the M4 motorway. The report concludes advising no objections and recommending the inclusion of three conditions in any grant of planning permission.

Chief Fire Officer: No objection to the proposed development subject to conditions.

Environment Section KCC: The Environment Section of Kildare County Council is satisfied that the Environmental Impact Statement deals adequately with all issues of interests to the department. No objection to the proposed development subject to compliance with conditions.

Conservation Officer: The report seeks to assess the potential impacts of the proposed development on the surrounding architectural and built heritage landscape. The report recommends that mitigation measures be implemented for Blakestown House and Sandford Bridge during the construction phase.

Roads & Transport Department: Following analysis of all of the information submitted, the Roads & Transport Section recommends a grant of planning permission subject to 25 conditions.

KCC Consultants – Golder Associates: External consultants were engaged by Kildare County Council to assess specific aspects of the proposed development to deal with hydrogeology, flood risk and surface water and ecology and biodiversity. Following analysis of the information submitted, there was no objection to the proposed development subject to conditions.

Water Services Engineer: No objection to the proposed development.

3.3. **Prescribed Bodies**

Transport Infrastructure Ireland (TII): Advises that the Authority will rely on the Planning Authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and subject to the development being undertaken in accordance with the recommendations of the Transport Assessment amongst other issues.

Department of Defence: The report advises no observations to be made.

Inland Fisheries Ireland (IFI): The IFI advise no objections to the proposed development subject to compliance with conditions.

Environmental Protection Agency (EPA): The submission notes that the most recent licence pertaining to Intel Ireland Limited is IPPC Licence (Register No: P0207-04), issued on the 20th December, 2013. With the amendment of the EPA Act, the above activity is now an Industrial Emissions Directive (IED) activity under the Act and the licence was amended on the 23rd of December 2013 to incorporate the requirements of an Industrial Emissions Licence.

The report further notes that the application was accompanied by an EIS, which appears to address the key points in relation to the environmental aspects of the proposed activity which relate to the matters that come within the functions of the EPA. It is also noted that the EIS appears to address the direct and indirect effects of the development on the aspects of the environment listed in Section 83(2A)(a) of the EPA Act.

The report further advises that if and when a licence application is received by the Agency, all matters to do with emissions to the environment from the activities proposed, the licence application documentation and EIS will be considered by the Agency. In accordance with section 87(1D)(d) of the EPA Act, the Agency cannot issue a Proposed Determination on a licence application which addresses the development above until a planning decision has been made.

Health & Safety Authority (HSA): The submitted report does not advise against the granting of planning permission.

Irish Water: No objections raised.

Department of Arts, Heritage, Regional Rural & Gaeltacht Affairs: The submission advises no comments.

3.4. **Third Party Observations**

There are third party observers noted in relation to the proposed development as follows:

3.4.1. **Emmet Stagg**: Seeks to fully support the proposed development, noting its compliance with the Draft Leixlip Local Area Plan 2017-2023, as well as a number of other national, regional and local policy documents. The submission notes the $12.5 Billion Intel has made at its Leixlip Plant and that the proposed development will provide the Intel site with additional facilities and capacity to manufacture the latest Semiconductor Technology, reinforcing the Leixlip site as a centre of World Class Excellence in the Knowledge based economy. It is requested that permission be granted.

3.4.2. **Anthony & Susan Keegan:** Objects to the proposed development in terms of traffic, foundations and vibrations, lighting, noise, the high rise construction crane, working hours and scale of the development in such proximity to their residence in terms of the construction phase. In terms of post construction, the third party objects to the dramatic negative impact on the value of their rural residential home, proposals to realign the R148, the overall height of proposed structures, health and safety issues and the visual impact of the development in the rural landscape.

3.4.3. **Larry Wynne:** Objects to the proposed development in terms of the excessive scale of the proposed development in a rural area, health and safety issues in terms of emissions, traffic, visual impacts, construction phase safety, noise and light issues. It is concluded that while generally supportive of development, all of the construction will have a dramatic and devastating effect on their rural home and the surrounding natural wildlife habitat, having a dramatic negative impact on the value of their home.

3.4.4. **Tania Wynne:** Objects to the proposed development in terms of the excessive scale of the proposed development in a rural area, health and safety issues in terms of emissions, traffic, visual impacts, construction phase safety, noise and light issues. It is concluded that while generally supportive of development, all of

the construction will have a dramatic and devastating effect on their rural home and the surrounding natural wildlife habitat, having a dramatic negative impact on the value of their home.

3.4.5. **Thomas Reid:** Objects to the proposed development in terms of the impact on the Rye Water Carton Special Area of Conservation, the SEVESO Directive gives the general public the right to access environmental information and where chemical processing and large stores of chemicals are involved, the dangers extend to 1000m. Within that 1000m there are private properties, Natura Heritage Areas, cSACs and a densely populated area. A request for the Emergency Plan was refused.

Other matters raised are not planning related.

3.4.6. **Peter Sweetman and Wild Ireland:** The submission considers that the site notice and newspaper advertisement are fundamentally flawed as it fails to refer to 15 further planning applications which have amended register reference 12/435. The application also failed to mention 247028 (PA ref 16/523) which is part of this development. EirGrid is proposing the uprate of the existing Corduff – Ryebrook 110kV overhead line, comprising the renewing and altering of the existing line. The planned uprate is required in order to provide increased electrical capacity which is required to ensure a continued secure and reliable supply of electricity to the Intel complex. It is requested that the Council find the application invalid and return the fee.

4.0 Planning History

There is extensive planning history associated with this site. All relevant planning history is presented in Appendix 1 of this report. The following application is considered the most relevant in this instance in that the current appeal seeks to amend this permission:

ABP ref PL09.241071 (PA ref 12/435) Permission was granted by the Board on 16/1/2013 for 10-year duration to Intel for buildings and ancillary works, alongside existing site infrastructure and buildings, all operating as an integrated campus, for the manufacture of integrated circuits. A 10-year planning permission is requested. The proposed development comprises:

(a) Manufacturing building consisting of a fabrication facility (FAB) [parapet height of 36m], including administration and storage with a total gross floor area of 162,536m², including roof mounted stacks, ranging in height from 4.5m to 15m above parapet and a 2 storey above ground link to the IR5 building.

(b) Utility support buildings consisting of:

(i) boiler & chiller building with associated cooling towers, 10,359m² & 17m high,

(ii) water treatment building, 14,192m² and 22m high,

(iii) emergency and electrical support building (the first building is sized 1334m² and 11m high with associated stacks 7m above parapet level; the second building is 421m² and 8m high and the third is 254m² and 8m high)

(c) A multi storey car park accommodating 2,200 cars, 63,047m² and 15m high.

(d) A chemical store, 1244m² and 10m high and 5 number tanks 32m in diameter and 7m high and a pump-house 143m² and 4.8m high.

(e) Other ancillary works include new underground utilities, landscaping, new fencing and screening berms, yard structures for all buildings, bulk storage for gasses and liquids (roofed compounds 2,278m² and 5.5m high), 2 no. sprinkler tanks and associated pumps, pipe-bridge structures, stacks and roof mounted equipment to all buildings and a new retention pond.

The works also include new internal road layouts throughout and modifications to the west side main vehicular entrance together with modifications to the R148 road. This application consists of a variation to a previously permitted development for an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended for the Protection of the Environment Act, 2003) is required and full details of the proposed development and its anticipated environmental impacts will be notified to the Environmental Protection Agency. An Environmental Impact Statement and a Natura Impact Statement accompany this application.

5.0 **Policy Context**

Sections 5 and 6 of the Planning Report, submitted with the planning application, seek to provide details of all of the relevant policy objectives from national to local, affecting the subject site. Section 6 of the report seeks to demonstrate how the

proposed development complies with all the relevant sectoral policies and objective requirements.

5.1. Regional Planning Guidelines for the Greater Dublin Area, 2010-2022

5.1.1. The *'Regional Planning Guidelines for the Greater Dublin Area, 2010-2022'* seek to direct the future growth of the Greater Dublin Area over the medium to long term and work to implement the strategic planning framework set out in the National Spatial Strategy (NSS) published in 2002. The Guidelines identify Leixlip as a Large Growth Town II within the metropolitan area. Section 3.7.1 of the Guidelines identifies Maynooth / Leixlip as a Core Economic Area, identified as the principal economic growth centre within this cluster and both having interconnecting sectoral strengths. This cluster also includes the two additional supporting towns of Kilcock and Celbridge. Its locational strengths include the location of the cluster on a multimodal transport corridor, served by improving rail and national road networks, whilst the future provision of other projects such as the LOOR will further enhance the transport linkages. They are to be prioritised for economic development and investment.

5.1.2. In identifying the *'Maynooth/Leixlip Core Economic Area'* the Guidelines make specific reference to the Intel Campus at Leixlip and note that, in addition to manufacturing, it also includes the Intel Innovation Centre for the research and development of leading-edge IT solutions and technology. It is further noted that this centre, in partnership with NUI Maynooth, has set up the Innovation Value Institute, a multi-disciplinary research and education institute which is designed to help achieve sustainable economic value from IT and quantify and understand the true business value of strategic IT investments. The Guidelines, in acknowledging the established synergies between the education sector (NUI Maynooth) and major employers such as Intel Ireland Ltd. and Hewlett Packard in this economic cluster, aim to build upon this by focusing on the development of the hi-tech/bio tech sectors, research and development, ICT and manufacturing, all of which should be used to brand this cluster as a centre of excellence in the knowledge-based economy.

5.1.3. The Guidelines provide a number of strategic policies which are considered relevant as follows:

Strategic Policy EP1: That the Dublin Gateway is recognised as an international driver of enterprise within the GDA and is supported by regionally designated strategic employment centres, serving the urban and rural hinterlands. These economic growth areas which take advantage of nationally important transport hubs and corridors, shall provide the focal point for diverse regional enterprise and economic clustering activity, by:

- steering population growth and economic critical mass to designated RPG strategic growth centres of the identified economic areas or gateway region;
- capacity building in skills, innovation and education;
- critical infrastructural investment in ICT, public transport, water services;
- integrating high quality social and amenity provisions to create an attractive landscape and working environment;
- providing energy security supported by green and renewable technologies;
- rationalised planning approaches to employment based land use zoning and enterprise objectives.

- Strategic Policy EP2: To seek sustainable economic growth across the GDA, by the promotion of identified core economic areas across the GDA in both the Dublin and Mid East Regions to facilitate new employment opportunities for existing populations and seek to reduce the volume of unsustainable long distance commuting.

5.2. **Kildare County Development Plan, 2017-2023:**

5.2.1. The Kildare County Development Plan, 2017-2023, is the relevant policy document pertaining to the subject site and came into effect on the 1st day of February, 2017. The Board will note that when the application for the proposed development was submitted to Kildare County Council, the previous plan was in effect. The current Plan states that 'the key objective for the future development of the Metropolitan Area is to ensure consolidation of urban centres, development of brownfield sites especially along public transport corridors, the provision and facilitation of an integrated public transport system and the achievement of a greater use of

sustainable transport modes through the integration of land use and transportation planning.' Section 2.7 deals with the preferred development strategy and the focus is on achieving 'critical mass in the Metropolitan urban areas (Maynooth, Leixlip, Celbridge, Kilcock) and in key towns and villages in the Hinterland (Naas, Newbridge, Athy, Kildare, Monasterevin and Kilcullen);

5.2.2. Section 2.12 of the Plan deals with Sectoral Strengths, and states:

> 'To realise the potential of the identified economic growth centres the Plan seeks to develop sectoral strengths around the growth centres as follows:
>
> - Maynooth and Leixlip based on the presence of Maynooth University, Intel and Hewlett Packard, should brand itself as the knowledge valley, a centre of excellence in the knowledge based economy. The key focus is directed to hi tech/bio tech sectors, research and development, ICT and manufacturing.

5.2.3. The Board will note that the subject site is identified as a SEVESO site and as such, the plan sets out policies to deal with developments affected by the SEVESO II Directive, policies ECD 21 and ECD 22 refer.

5.2.4. Other relevant chapters and policies of the CDP in relation to the proposed development are identified as follows:

- Chapter 6 of the Plan relates to Movement and Transport
- Chapter 7 deals with Infrastructure
- Chapter 12 deals with Architectural and Archaeological Heritage
- Chapter 13 deals with Natural Heritage & Green Infrastructure
- Chapter 14 deals with Landscape, Recreation and Amenities
- Chapter 17 deals with Development Management Standards:

5.3. **Leixlip Local Area Plan, 2010:**

5.3.1. The proposed development site is primarily zoned as *'H: Industrial and Warehousing'* with the stated land use zoning objective *'To provide for office, warehousing and industrial development'*. This zoning provides for office, warehousing and industrial development excluding retail warehousing. Other uses, ancillary or similar to industry

and warehousing will be considered on the merits of each planning application and may be acceptable in this zone.

5.3.2. The northern area of the site, adjacent to the Rye River, is affected by two other land use zonings as follows:

- F: Open Space and Amenity: To protect and provide for open space, amenity and recreation provision.

  The aims of this land use zoning objective are to protect, improve and provide for recreation, open space and amenity provision, to protect, improve and maintain public open space, to preserve private open space and to provide recreational and community facilities.

  It is the policy of the Council not to permit development that would result in a loss of open space within the town except where specifically provided for in this Local Area Plan. Existing agricultural uses in open space areas will continue to be permitted and reasonable development proposals in relation to this use will be considered on their merits.

- I: Agricultural: To retain and protect agricultural uses.

  The aim of this land use zoning objective is to ensure the retention of agricultural uses and to protect them from urban sprawl and ribbon development. Uses which are directly associated with agriculture or which would not interfere with this use are open for consideration. This includes limited housing for members of landowners' families or persons who can demonstrate a need to live in the agriculture zone, tourism related projects and amenity uses such as playing fields or parks. Any future development on lands must have regard to the proximity of designated sites.

5.3.3. The LAP provides details of relevant policies and objectives for the plan area and the Board will note that the LAP reflects in principle, the policy objectives of the County Development Plan. The relevant objectives for the subject site include:

E2: To facilitate the expansion of the multi-national industries in Leixlip including Intel and Hewlett Packard.

E3: To safeguard residential areas and areas of high environmental quality from the adverse effects of industrial development.

E4: To ensure that all new employment related development proposals are appropriately landscaped and screened in order to minimise any adverse impacts on the amenity of nearby residential areas.

5.4. **Draft Leixlip Local Area Plan, 2017-2023**

5.4.1. The Board will note that the Draft Leixlip Local Area Plan was on public display up to the 22nd of May, 2017. The Draft Plan identifies Intel as one of the largest employers in the county and acknowledges the significant investment into the development of the Intel Campus at Collinstown Industrial Park. The zoning objective afforded to the site has not significantly changed, being zoned 'Industrial and Warehousing', where it is the stated objective of the zoning 'to provide for industry, manufacturing, distribution and warehousing'.

5.5. **Natural Heritage Designations**

The Rye Valley Carton cSAC (Site Code 001398) part of which forms the northern boundary of the Intel campus is within approximately 290m from site.

Other designated sites include The North Dublin Bay cSAC (Site Code 000206), South Dublin Bay cSAC (Site Code 000210), North Bull Island SPA (Site Code 004006) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) which are located approximately 17km from the site.

5.6. **Architectural Heritage Protection, Guidelines for Planning Authorities:**

Having regard to the proximity of a number of protected structures to the subject site, the *'Architectural Heritage Protection, Guidelines for Planning Authorities'* are considered relevant. The guidelines provide detailed guidance in respect of the criteria and other considerations to be taken into account in the assessment of proposals affecting protected structures. Chapter 13 of the guidelines specifically refers to development within the curtilage or attendant grounds of a protected structure.

6.0 The Appeal

6.1. Grounds of Appeal

Two third party appeals against the decision of the planning authority to grant permission for the proposed development were received from local residents, as follows:

6.1.1. Ms. Tania Wynne

The grounds of appeal are summarised as follows:

- The current proposed development is materially different to what was previously granted and the matters raised in the assessment of that application should not be considered as dealt with in this application.
- Issues raised in the objection to the Planning Authority have not been adequately dealt with.
- Notwithstanding the references to the reduced floor area of the proposed development, the development will have a greater impact on the amenities of Ms. Wynne by virtue of:
    - The level of proposed extraction which was not part of the previous application equates to a large and intensive quarry with 490,000m^3 of soil and rock to be excavated in a 5-month period.
    - Concerns are also raised in relation to the processes associated with quarrying on the site including the use of rock crushers and references to concrete batching plant which are not indicated on plans.
    - The EIS alternatives did not consider any alternative to the quarrying / extraction.
    - Questions the need to excavate a large area between the buildings and Kellystown Lane that is not to be developed?
    - Dust and noise impacts were not given due consideration
    - Potential frequent and unannounced loss of access to home and loss of services due to works.

- No condition to restrict working hours leaves potential for 24-hour site development works.
- Concerns regarding the number of traffic conditions attached to Kildare County Councils decision would indicate a lack of confidence in the Traffic & Transport Assessment.
- Only planning and not economic matters should be taken into consideration.
- Devaluation of properties.

- The appeal concludes stating that
  - The applicant has failed to properly address all of the issues contained in the third party submissions such as the impact on the appellants' home, particularly during the excavation / quarrying and construction phases.
  - Based on the information submitted, it is considered that the proposed development constitutes a serious risk to the appellants, and neighbouring, homes and will have a detrimental impact on the amenities and value of properties.
  - The ultimate end use of the building cannot be guaranteed and the environmental impacts may therefore not be as described but the impact of the known impacts of the quarrying / excavation could be and should have been.

It is requested that permission be refused.

6.1.2. **Mr. Thomas Reid**.

The grounds of appeal are summarised as follows:

- The proposed development is contrary to the proper planning and development of the area.
- The development will have a major impact on NHAs, SACs, protected structures, visual landscape, roads and private property.
- As Intel is a SEVESO site, there is a high danger zone of 1000m from the perimeter of the site.

- The Conservation Officer raised concerns in terms of the overall impact of the development on architectural and cultural heritage.
- Intensification of air emissions due to the increase in processing.
- The previous planning application would have to be annulled before any consideration should be given to the current application as an EPA licence was put in place (for the previous permission).
- Requests that concealed files should be made available and concerned that future plans would result in project splitting.
- An oral hearing is requested.

The appellant seeks that the Board refuse permission for the proposed development and there are a number of enclosures with the appeal.

6.2. **Planning Authority Response**

The planning authority advises no further comment.

6.3. **Observations**

There are two observers noted in relation to the subject appeal as follows:

- **Mr. Emmet Stagg:** The submitted observation, in support of the proposed development, is similar to observations made to Kildare County Council during their assessment of the proposed development. It is requested that the decision of Kildare County Council to grant permission be confirmed.
- **Mr. Peter Sweetman and Wild Ireland:** The submission raises similar issues to those raised during the planning authority's assessment of the proposed development. Issues raised are summarised as follows:
    - The site notice and newspaper advertisement are fundamentally flawed as it fails to declare that the development consists of the 'excavation of stone, gravel, sand or clay, where the area of extraction would be greater than 5ha'. The area is 10ha.
    - The application also failed to mention 247028 (PA ref 16/523) which is part of this development. EirGrid is proposing the uprate of the existing

Corduff – Ryebrook 110kV overhead line, comprising the renewing and altering of the existing line.

- The Non-Technical Summary does not conform to the legal requirements.
- Reference is made to the order in Holohan & Ors – v – An Bord Pleanala. It is submitted that in the decision of the Planning Authority, conditions 6, 14, 15, 17, 19, 20, 21, 23 and 29 are left for post-consent decision. It is submitted that it would be irresponsible for ABP to make a decision on this application prior to the decision of the CJEU.
- Issues raised in relation to the planning authority report and submits that the planning authority failed to have regard to documents attached to submission.
- The planning authority failed to carry out an environmental impact assessment of the quarry development, which requires EIA in its own right.

On the basis of recent decisions in the High Court and references to the CJEU, it is submitted that it would be irresponsible for the Board to carry out an Environmental Impact Assessment and an Appropriate Assessment of this development.

6.4. Applicant Response to Third Party Appeals

The submission presents four attachments as follows:

6.4.1. Attachment A: Response to the appeal submitted

In relation to the appeal by **Mr. Thomas Reid**, the first party submits that much of the appeal is vexatious. It is considered that the issues raised in relation to impacts on NHAs, SACs, protected structures, visual landscape, roads, private property and SEVESO designation have all been addressed within the planning application documents. The following points are made:

- The proposed development will not detract from the inherent architectural and historical character of Hedsor House.

- The site is a SEVESO site which enable Kildare Co. Co. to provide for proper planning in and around the Intel campus, and prevent any incompatible uses with respect to its SEVESO status. The HSA, the competent authority for the regulation of SEVESO sites, have stated that they do not advise against the proposed development.
- In terms of air emissions, the site operates in compliance with an EPA IED licence which sets emissions limits.
- In relation to the reference to Ryebrook House, no surface trace of this structure or its associated gardens now remain.

In relation to the appeal by **Ms. Tania Wynne**, the first party makes the following points:

- In relation to the extent of excavation, it is submitted that the development is of a large scale and the scale of the excavation is commensurate with the scale of the proposed development. No significant excavation proposed will occur within close proximity to Ms. Wynnes home.
- Work to the west of the site is to prepare a surface for the construction compound comprising re-profiling of previously disturbed material to a varying depth of c1m-1.5m.
- In relation to potential noise and dust, while it is acknowledged that there is likely to be some temporary construction related impacts, the issue has been addressed in the EIS.
- In relation to the potential for frequent loss of access to home and services, it is submitted that any issues arising will be proactively addressed through the neighbour liaison officer. The Environmental Impact Statement specifically states that for site clearance all HGVs will be directed to and from the site via the M4 from the direction of Dublin.
- In relation to working hours, it is submitted that the Outline Construction Management Plan provide the general construction hours, which does not entail 24-hour site development works. Condition 1 of the grant of planning permission encompasses the provisions and proposals made within the planning documentation submitted and a further condition is unnecessary.

- With regard to traffic, it is submitted that the conditions imposed are largely similar to those associated with the previous permission. The volume of HGVs is predicted to average 230 two way movements per day throughout the construction. The volume should not be doubled as has been done in the appeal submission as the figure represents a total average, 115 trips per direction.

  The Traffic Impact Assessment and Environmental Impact Statement presents details of the base level Annual Average Daily Traffic. The site clearance works will result in an increase of 4.4% to the baseline AADT, with an increase of traffic flows of 6% and 4% in the AM and PM peaks respectively. This is not considered to be a significant increase over the site clearance phase of the construction programme.

- In relation to the impact on property values, it is submitted that this is not regarded as a planning matter relevant to adjudication by An Bord Pleanala.

It is concluded that the proposed development has been demonstrated to be in compliance with planning policies and objectives, and will not have a negative impact on the environment, character or amenity of the area and therefore, it is considered to be in accordance with the proper planning and sustainable development of the area. It is requested that An Bord Pleanala uphold the decision to grant planning permission issued by Kildare County Council.

6.4.2. Attachment B: Contact details and health & safety requirements for site visits.

6.4.3. Attachment C: Summary and plan of various recent permissions in and around the site.

6.4.4. Attachment D: Submissions on undertakings and information sought by Kildare County Council conditions.

6.5. **Referral to Prescribed Bodies**

6.5.1. The proposed development was referred to the Environmental Protection Agency for comments. The response advises that:

The most recent licence pertaining to Intel Ireland Limited is IPPC Licence (Register No: P0207-04), issued on the 20th December 2013 for the following classes:

- 13.2 - The manufacture of integrated circuits and printed circuit boards;
- 12.2.1 - The surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, with a consumption capacity of more than 150 kg per hour or more than 200 tonnes per year; and
- 2.1 - Combustion of fuels in installations with a total rated thermal input og 50 MW or more.

The response further advises that with the 2013 amendment of the EPA Act, the above activity is now an Industrial Emissions Directive (IED) activity under the Act and the licence was amended on the 23rd December 2013 to incorporate the requirements of an Industrial Emissions Licence.

The response advises that the licence may need to be reviewed or amended to accommodate the changes proposed in the planning application and in such an event, the Agency will ensure that before the revised licence is granted, the licence application will be made subject to an Environmental Impact Assessment as respects the matters that come within the functions of the Agency and in accordance with Section 83(2A) and Section 87(1G)(a) of the EPA Act. In addition, consultation on the licence application and EIS will be carried out in accordance with Section 87 (1B) to (1H) of the EPA Act as appropriate.

Where the Agency is of the opinion that the activities, as proposed, cannot be carried on, or cannot be effectively regulated under a licence then the Agency cannot grant a licence for such an activity. Should the Agency decide to grant a licence in respect of the activity, as proposed, it will incorporate conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) will be used in the carrying on of the activities.

Finally, the submission advises that in accordance with section 87(1D)(d) of the EPA Act, the Agency cannot issue a Proposed Determination on a licence application which addresses the development above until a planning decision has been made.

7.0 Planning Assessment

Having regard in particular to the issues raised in the grounds of appeal and the observers submissions, I consider it appropriate to assess the proposed development application under the following headings:

1. The need for the development & planning history
2. Residential Amenity Issues
3. Roads & Traffic Issues
4. Other Issues
5. Environmental Impacts
    - Water
    - Flora & Fauna
    - Architectural Heritage

The Board will note that Environmental Impact Assessment and Appropriate Assessment are presented in separated sections.

7.1. The need for the development & planning history:

7.1.1. Intel is seeking permission to construct a revised design new semi-conductor wafer fabrication facility (FAB) to the west of the overall site. There are currently three other FABs on the campus, FABs 10, 14 and 24, and the proposed development will use processes similar to those already carried out on the site within these FABs. The current application is needed as the standard manufacturing facility design has evolved since the previous grant of planning permission and a grant of permission for the revised design will give Intel flexible options to allow the company to be responsive to those evolving needs. The Board will note that the scale of the revised design is smaller than the previously permitted development at the site. The previous grant of planning permission, ABP ref 09.241071, PA ref 12/435 refers, remains valid and will expire on the 15th January, 2023.

7.1.2. The proposed development will consist of nine buildings which will operate as an integrated campus as follows:

- Building 1: The Main Fabrication Building (FAB) will be a three storey building where the assembly of integrated circuit manufacturing tools and will have two basement utility floors. The building will rise to 31m.
- Building 2: The Boiler / Chiller Plant & Compressor will be a two storey building which house the large scale boilers and chillers to support the new FAB complex, including support and local electrical distribution.
- Building 3: Ultra-Pure Water Building & yards will be a two storey building and will purify the incoming water to the proposed FAB using mainly reverse osmosis process.
- Building 4: The Waste Treatment Building will be 14.8m in height and will purify the outgoing waste water using acid waste neutralisation, filtration and precipitation technology, prior to discharge to the public sewer.
- Building 5: This building is the Ultra-Pure Water Polish Building which will consist of sophisticated de-gasifying technology and filtration systems to produce ultra-pure water used in manufacture.
- Building 6: This is the Emergency Generation and Electrical Building which will provide a backup emergency electrical supply to service the development. The FAB will be supplied with electricity from the Ryebrook Station onsite and Eirgrid has confirmed that adequate capacity exists in the local network to support the proposed facility.
- Building 7: The multi-storey car park will provide spaces for 2,200 cars.
- Building 8: Ancillary facilities are required to support the proposed FAB and other facilities onsite. These facilities include chemical stores and additional water storage in the form of 5 large tanks to the east of the Intel Campus.
- Building 9: The Bulk Gas Yard is to be located to the north east of the Campus and will consist of industrial gas tanks, vaporizers and truck offload areas.
- Ancillary works include works to the R148 road in order to improve traffic flows. There will be pipe bridges to transport the facilities to and from the manufacturing buildings, additional landscaping, fencing and berms, a new retention pond, items

of plant and equipment in the various yards, underground utilities, new internal roads including access for fire tenders, sprinkler tanks and bulk gas storage.

7.1.3. Given the location of the subject site, I consider it reasonable to conclude that the proposed development, in principle, adequately accords with the wider development strategy for the area as set out in the *'Regional Planning Guidelines for the Greater Dublin Area, 2010-2022'* which identifies Maynooth / Leixlip as a *'Primary Economic Growth Town'* and a *'Core Economic Area'* to be prioritised for economic development and investment in order to redress the imbalance of residential development and jobs and the emergence of dormitory areas.

7.1.4. I am further satisfied that the principle of the proposed development also complies with the strategic policy objectives of the Kildare County Development Plan, 2017-2023 and the Leixlip Local Area Plan, 2010, as well as the Draft Leixlip Local Area Plan 2017-2023 as these documents relate to the development of the subject site. Objective E2 of the Local Area Plan specifically seeks *'To facilitate the expansion of the multi-national industries in Leixlip including Intel'*. The Board will also note that the Draft LAP does not significantly alter the zoning or policy objectives for the Intel site in Leixlip.

7.1.5. Mr. Peter Sweetman and Wild Ireland, in the observation to the appeal, raises a concern that the application failed to mention PL09.247028 (PA ref 16/523) which he considers to be part of this development. This permitted development involves the replacement of an existing triple circuit branch mast of 34m in height which supports the existing Corduff-Ryebrook, Maynooth – Rybrook and Dunfirth Kinnegad Rinawade 110kV overhead line circuits with three masts of maximum height of 15m (Single Circuit Mast) 24m and 34m (both double circuit masts) and all ancillary site works to occur in the vicinity of the existing mast.

7.1.6. In terms of a justification for the permitted development, it was outlined that the Corduff Ryebrook 110kV line will experience thermal overloads under certain scenarios and will need to be upgraded to a high capacity conductor to mitigate for increased power flows and to avoid overloading of the line. The Confey Ryebrook circuit is one of three lines currently supported by the existing Confey triple circuit branch mast. Each is of strategic local importance given that they supply a number of major industrial power customers and employers within the area. The three towers

will be installed in stages to replace the triple circuit branch mast. The masts will provide increased security of supply to existing major industrial customers and reduce the number of lines on each mast from three to two. Line upgrades will facilitate potential future increases of electricity demand from large industrial customers in the Kildare area.

7.1.7. The above development is considered as separate development which was proposed to service a number of industrial developments in the area, not just Intel and is therefore not part of the current proposed development.

7.1.8. As regards the opinion of a third party appellant that the previous permission on the site would have to be annulled before a decision can be made in terms of the current proposal, this is clearly not the case.

7.2. **Residential Amenity Issues:**

7.2.1. The Board will note the third party appellant concerns that the proposed development will constitute a serious risk to the neighbouring homes and will have a detrimental impact on the amenities and value of their properties. In considering the potential impacts to the amenities of the adjacent residential properties, I would consider that the primary areas of concern relate to noise, vibration, air quality and hours of construction works, during the construction phase, while noise, emissions and traffic issues may also have an impact during the operational phase.

Noise:

7.2.2. Chapter 10 of the EIS deals with noise, while Appendix 10.2 presents a Noise Source Emissions Summary – Proposed Development and Appendix 10.3 presents a Noise Source Emissions Summary – Existing having regard to the environmental noise surveys carried out in the vicinity of the site. The results of the surveys concluded that the existing daytime and night time noise climate at locations proximate to the site is dominated by road traffic noise. Other contributors to the noise climate in the vicinity of the site include trains, occasional aircraft, birdsong and water noise from the Royal Canal Gate, as well as farming equipment with plant noise slightly audible to the south. The specific noise emissions from the Intel site are indicated as being within the daytime, evening and night-time limit value as set out in the relevant Industrial Emissions Licence applicable to the site.

7.2.3. Having established the baseline noise climate, Table 10.20 of the EIS sets out the typical noise level associated with construction plant items. It is reasonable to conclude that due to the nature of the proposed development works, there is potential for significant noise to be generated. The greatest potential noise impact will occur in the initial 5-month period of the construction phase during the excavation works, with levels predicted to marginally exceed the 65dB$L_{Aeq, 1hr}$ noise criteria for proposed Saturday works, but achieving the weekday noise criteria of 70dB$L_{Aeq, 1hr.}$ The EIS notes that the general construction hours will be 07:00 to 19:00, Monday to Friday and 08:00 to 13:00 on Saturdays, with some weekday evening works proposed 19:00 to 22:00 hours. It is submitted that the weekday evening works will be significantly reduced and generally involve internal activities and concrete pouring. As such, it is expected that noise emissions from evening activities will be significantly lower than for other general daytime activities.

7.2.4. In addition to the construction works, the EIS considers the impact of construction traffic on noise levels in the vicinity of the site. The EIS confirms that an increase in noise level associated with the construction traffic will be less than 1.5dB(A) and as such, represents a minor impact. It is concluded that the potential significant noise impacts are considered as arising during the construction phase but they will be short term and temporary and appropriate mitigation is proposed.

7.2.5. In terms of operational noise, the EIS notes that the primary sources will arise from additional manufacturing and building services plant, additional vehicular traffic on the public roads and site and the car park on site. In order to assess the potential impact of operational noise, an industrial noise model, which incorporated all existing, permitted and proposed building service plant items associated with the site was prepared. Figure 10.3 of the EIS illustrates the model and 438 new sources were incorporated into the model, with levels predicted at a total of seventeen locations. Mitigation measures include the provision of acoustic barrier screens which have been built into the design of the proposed development. Subject to the implementation of mitigation measures, the predicted plant noise emissions are considered to be within the daytime, evening and night-time limit values at all locations.

Vibration:

7.2.6. Vibration is only likely to occur during the construction phase of the development, and in particular during the initial 5-month period due to excavation and rock breaking. It is advised that the existing Intel operations and processes on site have very low tolerances to vibration, and significantly lower than would be applied to nearby residential receptors. I am satisfied that subject to the implementation of mitigation measures, no significant impacts with regards to noise and vibration arise.

Air Quality:

7.2.7. There is potential for a number of emissions during the construction phase of the development including dust arising from construction activities as well as exhaust emissions from construction machinery and traffic. In terms of mitigation, a dust minimisation plan will be formulated as part of the Construction Management Plan and monitoring will ensure that any dust nuisance events occurring outside the site boundary will be curtailed and rectified. These impacts are considered to be local and temporary.

7.2.8. In terms of the operational phase, the EIS identifies the new air emission sources and has modelled these emissions as part of the overall assessment. Additional abatement, treatment or recovery systems are to be included in the revised manufacturing facility to ensure emissions are minimised and are of proven design and represent Best Available Technology (BAT). The systems include:

- Acid gases scrubbers to remove HF, TF and TA releases to air;
- Ammonia scrubbers;
- VOC abatement using the latest technology of concentrator / thermal oxidisers.

In addition, the EPA will identify the monitoring requirements for the site as part of a new licence application. I am satisfied that the development can be considered acceptable in this regard.

Working Hours & Access:

7.2.9. The Third Party Appellants have raised concerns regarding the potential for unannounced loss of access to homes and loss of services due to the works. Concern is also raised relating to the fact that no condition to restrict working hours

was included in the Planning Authority's decision to grant permission for the development. In relation to these issues, I would refer the Board to the applicants' submissions, including the outline Construction Management Plan, which clearly provides that the general construction hours will apply. There will be no 24-hour site development works.

7.2.10. In addition, it is advised that the Intel Neighbour Liaison Officer will deal with any potential issues in relation to loss of access or services. Given the scale of the proposed development, together with the roads and traffic proposals presented as part of the Environmental Impact Statement and the Traffic & Transport Assessment, and as addressed below in section 7.3 of this report, I am generally satisfied that all reasonable measures have been considered to limit any inconveniences to the neighbours of the Intel Campus during the construction phase of the development. However, should the Board be so minded, the matter of working hours can be appropriately dealt with by way of condition.

Groundworks:

7.2.11. The Third Party appellants have raised concerns regarding the level of ground works and excavation to be undertaken to accommodate the proposed development. The Board will note the proposal to excavate up to 490,000m^3 of soil and rock from the site to accommodate the new FAB building. It is submitted that the processes associated with this element of the development have not been indicated on the plans, nor have alternatives been considered.

7.2.12. Given the scale of the proposed development, I am satisfied that the works are proportionate and acceptable. The proposed development does not involve quarrying at the site and I am satisfied that these works do not need to be advised in public notices or addressed by way of a separated Environmental Impact Statement. The EIS submitted in support of the proposed development adequately deals with all issues arising from the proposed development.

Conclusion:

7.2.13. In terms of potential impacts on residential amenity, with regard to noise, vibration and air quality, I consider that the proposed development has addressed concerns through noise and vibration limits and hours of operation controls. The construction impacts will be of a temporary nature and I note that the Environment Section of

Kildare County Council raises no objections to the proposed development. In terms of the operational phase of the development the Board will note that the activity is an Industrial Emissions Directive (IED) activity under the EPA Act.

7.2.14. The Environmental Protection Agency has advised that if and when a licence application is received by the Agency, all matters to do with emissions to the environment from the activities proposed, the licence application documentation and EIS will be considered. In accordance with section 87(1D)(d) of the EPA Act, the Agency cannot issue a Proposed Determination on a licence application which addresses the development above until a planning decision has been made. Overall, I am satisfied that the proposed development is acceptable and will not have a significant additional impact on the existing residents in the vicinity of the Intel Campus.

7.3. **Roads & Traffic Issues**

7.3.1. The subject development site is accessed directly from the R148 (Leixlip-Maynooth) Regional Road. The Intel Campus currently has three signal-controlled junctions, with the main access located approx. 230m to the west of the roundabout junction of the R148 with the R449, which connects to the M4 approximately 1km to the south of the roundabout. There are two further access points to the campus, one to the east of the roundabout junction and a second further west of the main entrance. These two entrances appear to be primarily used by contractors and construction staff. The western access point appears to be lightly used at present, but access to Blakestown Conference Centre and its associated car park is via this entrance. The current campus provides for a significant level of surface car parking spread throughout the site, amounting to 2,458 spaces. This figure will be reduced by 800 spaces during the first year of construction while the multi storey car park is being constructed. Following completion of the multi storey car park, an additional 2,200 spaces will be available. Once operational, the total number of car parking spaces available on the Campus will be 3,858.

7.3.2. The proposed development has included a Traffic & Transport Assessment which has informed Chapter 13 of the EIS, Traffic & Transportation. The EIS presents an assessment of the impact of the revised design and configuration of the previously permitted manufacturing facility on local traffic and transport operations while the

Traffic & Transport Assessment presents a detailed engineering based assessment. It is anticipated that the proposed development will be constructed over a three-year period and the maximum construction staff headcount is estimated to peak at 3,000 persons. It is assumed that 75% of construction traffic will use the main site access, with the remaining 25% using the west entrance. All HGV trips will be routed between West Site Access and the M4 J6 via the R148 and the R499. For site clearance, all HGVs will be directed to and from the site via the M4 from the direction of Dublin.

7.3.3. The existing traffic levels were surveyed and Annual Average Daily Traffic (AADT) and daily HGV trips on the existing local network were established. Table 13.1 in the EIS presents the Environmental Baseline (2-way) AADT 2016. The findings of the traffic data suggest that the HGV percentages on the base traffic levels are generally below 6%, and averaging at approximately 3%. In terms of predicted impacts, it is noted that the construction period of the proposed development will have a more significant impact on traffic movements as opposed to the operation of the development. The greatest impacts will occur on the main routes between the Intel Main Access and the M4 Junction 6, with the highest increase in local traffic volumes on the R148 between the Main Access and the R148/R449 roundabout. This increase is estimated to be from 14,200 to 16,900 vehicles per day, including HGV trips which will increase from 450 to 680 per day. These increases amount to 19% and 51.1% at peak construction period. It is submitted that the existing road network is operating below capacity and will continue to do so with the addition of the construction traffic.

7.3.4. Post construction, it is advised that a total of 2,730 trips will be made by operational staff. This figure will be as a result of the steady increase of operation staff during the final periods of the construction programme while the construction trips will have reduced to 200. The main traffic impact in 2020 and 2035 is forecast to occur on the routes between the main Intel Access and the M4 Junction 6. It is considered that the estimated increase of traffic volume by 19% on the R148 between the Main Access and the R449 junction, equating to an extra 2,700 vehicles and a two-way total of 16,900 vehicles, represents a negligible impact. The impact is also considerably less than the construction phase.

7.3.5. The assessment presented in the Traffic & Transport Assessment used an industry standard microsimulation traffic model and forecast increased queuing and delay at all junctions during the period of highest demand, both the AM and PM peak periods. Testing future years without mitigation during the peak construction periods, demonstrated that there would be extensive queuing and disruption. In order to reduce queuing impacts during the peak periods during the construction and operational phases, a number of mitigation measures are required. In this regard, the following mitigation measures are proposed

- Widening and changed lane configuration at the Main Intel Junction on the R148;
- Dualling of the R148 between the Main Intel junction and the R449 roundabout;
- New lane markings to facilitate turning from both traffic lanes on the R148 (W) and R449 approaches of the R148/R449 roundabout;
- Widening of the outbound left turn and inclusion on to the signal plan at the Main Intel Junction; and
- Provision of temporary traffic signals on the diverge slips and R449 South (Celbridge) at Junction 6, of the M4 Motorway.

7.3.6. The Traffic & Transport Assessment advises that the temporary traffic signals proposed at the M4 Junction 6, will be implemented in such a way that supporting infrastructure would be installed in advance of the forecast peak traffic demand period. Traffic monitoring would subsequently be undertaken to inform the requirement for the traffic signals to be activated and the signals would then remain operational throughout the peak construction demand period. It is submitted that forecast levels of delay are expected to be reasonable and the TTA indicates that the road network would continue to provide a good level of service for Intel and non-Intel related traffic.

7.3.7. In addition, during the peak PM period, the applicant proposes to prioritise the local road network through increased stacking within the confines of the Intel site thereby ensuring a good level of service along the roadway for both Intel and non-Intel related traffic. Following the construction phase of the development, trips will

significantly drop and the increase in permanent staff will result in a net increase of approximately 730 inbound and outbound trips. The operation of the network is not expected to impacted by this marginal change post construction.

7.3.8. Access to the site by pedestrians and cyclists will be maintained through a shared cycleway on the north side of the R148 and enhance traffic signal infrastructure with MOVA efficiency that will benefit pedestrians. The Intel Mobility Plan will also be reviewed and amended on an ongoing basis to further limit reliance on the car.

7.3.9. The issues surrounding Roads and Traffic have been presented in Chapter 13 of the submitted EIS, together with the Traffic Impact Assessment submitted in support of the proposed development. While I acknowledge the impact the proposed development will have on the local road network and traffic levels during the construction phase, the impacts will be temporary in their nature, albeit for a period of three years. It is also noted that it is not intended to use Kellystown Lane for construction traffic and that construction traffic will be directed primarily through the western entrance of the Intel Campus. As such, I am satisfied that, following implementation of the mitigation measures proposed, that the development will be acceptable. I also note that Kildare County Council has raised no objections, subject to compliance with conditions, in relation to the proposed development.

7.4. Other Issues

Public Notice:

7.4.1. The Board will note that Mr. Peter Sweetman and Wild Ireland raised a concern in relation to the public notices in terms of level of excavation proposed. I am satisfied that the public notices adequately comply with the requirements of the regulations and that there is no suggestion that any quarrying works are to be carried out on the site.

Visual Amenity:

7.4.2. In terms of the potential visual impacts associated with the proposed development, there is a significant variation in terms of the size and scale of the current proposal and that previously permitted by the Board at the Intel Campus. The current amended proposal is smaller and the site layout seeks to increase the separation distance between the existing residential properties, to the north west of the site, and

the proposed new buildings. The applicant has submitted a series of photomontages to show how the proposed development will impact the receiving landscape. It is clear that while the development is large, it will be read in the context of the existing Intel Campus developments. There is also significant natural screening in the vicinity of the site.

7.4.3. The Kildare County Development Plan identifies this area as a Class 1 Landscape Character Area which has a low sensitivity, and advises that such areas have capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area. The proposed development will provide berms and planting in order to minimise any potential visual impacts and given time to establish, any residual visual impacts will be minimised. I am generally satisfied that the proposed development is acceptable in terms of visual amenity.

Devaluation of Property:

7.4.4. There is no evidence submitted to suggest that the proposed development will devalue property in the vicinity of the Intel Campus. I am satisfied that the proposed development is acceptable given the zoning objective afforded to the site.

SEVESO:

7.4.5. The Intel Campus is a designated SEVESO site and third party appellants have raised concerns in relation to the proximity of residential properties to the facility. In support of the proposed development a Quantitative Risk Assessment of Major Accident Hazards Associated with Revised Manufacturing Facility Design was submitted. This assessment considers the consequences and individual risk of fatality associated with the proposed development. The report identifies a number of major accident hazards and the assessment concludes that no off site impacts will arise in light of the identified major accident scenarios. The Board will also note that the HSA, which is the competent authority responsible for the regulation of SEVESO sites, has not advised against granting permission. I consider that this adequately addresses this issue.

Conditions of planning permission:

7.4.6. Mr. Peter Sweetman and Wild Ireland raised concerns in relation to the inclusion of conditions which require post consent decision in light of the Holohan & Ors – v – An Bord Pleanala decision. In relation to the specific conditions referred to, the Board

will note that they relate to landscaping, the Mobility Management Plan, pedestrian and cyclist facilities, roads infrastructure improvements, a Road Safety Audit Stage 2 and the Construction Management Plan. I am satisfied that the conditions are not of a nature which would compromise the carrying out of Appropriate Assessment of Environmental Impact Assessment. In addition, the application is now before the Board and it is a matter for the Board to determine appropriate conditions, should it be so minded to grant permission in this instance.

7.5. **Environmental Impacts**

Water

7.5.1. Potential issues arise in relation to the impact of the proposed development on water due to the current proposal to lower the previously permitted finished floor level by approximately 10m.

Ground Water

7.5.2. The proposed development will involve site excavations with the deepest excavation requiring soil stripping and rock excavation up to 17m below the existing ground level. As the excavation will be below the groundwater table, temporary dewatering will be required. In terms of the underlying bedrock geology, the Geological Survey Ireland (GSI) Bedrock Geology Map for Kildare and Wicklow indicates that the site is underlain by Lower Carboniferous (Chadian to Brigantian Stage) Calp Limestones, which comprises dark grey, fine grained, argillaceous limestones with interbedded fossiliferous shales. Previous investigations at the Intel site have confirmed that limestone bedrock is located between 3 and 4 metres below the ground surface to the south and c13m north of the facility close to the Rye Water to the north. The site is underlain by a Locally Important Bedrock Aquifer (LI) which is described by the GSI as being ‘moderately productive only in local areas’.

7.5.3. No significant groundwater strikes were recorded in any of the boreholes located within the footprint of the proposed development and water seepage or slow water ingress in the overburden, at boreholes BH4, BH5 and BH7, was recorded at 40.23mOD-41.80mOD. No significant water strikes or evidence of fissures were recorded in the bedrock during drilling where boreholes BH49, BH51/52, BH53 and BH54 recorded slow water ingress in the deeper bedrock between 36.20mOD and

43.95mOD. The Board will note that a comprehensive assessment of groundwater levels and seasonal variation has been undertaken as part of the environmental impact assessment. It is also noted that a series of boreholes have been monitored on an on-going basis from 2012 to March 2014 in the Westlands area and the SAC which provides a good understanding of the static water level and seasonal variation.

7.5.4. Groundwater quality has been monitored at the site and no exceedances of the threshold values were recorded. The ground water quality is considered to be in compliance with the water quality standards specified in the Groundwater Regulations 2010 and 2016. In terms of the aquifer vulnerability, the GSI Interim Groundwater Vulnerability mapping indicates that the underlying aquifer is classified as high. Specific borehole logs show that bedrock is possibly as close as 0.6m from the surface in the south of the development area and >10-20m closer to the Rye Water. These logs would indicate that the aquifer vulnerability classification would range from low to extreme across the site. There is no groundwater source protection zone in the vicinity of the site.

7.5.5. There are four water environment receptors in the vicinity of the site including The Rye Water, Tufa Springs, Louisa Spring (and Leixlip Spa) and the Royal Canal. The importance of the geological and hydrogeological features in proximity to the subject site are rated as ‘extremely high’.

7.5.6. The predicted impacts associated with the proposed development are described within the EIS and potential negative impacts on the soils, geology and hydrogeology of the site could arise as a result of the excavation and dewatering of the site during the construction phase of the development. In order to establish the likely dewatering rates for the proposed development, the applicant extrapolated the information based on the following:

i. the actual dewatering data measured for AWN (Acid Waste Neutralisation) extension for FAB 14 construction;

ii. from two sets of pump testing within the footprint of the proposed development and within the area of the proposed construction compound;

iii. pump test information collected during the site assessment for the multi-storey car park located to the south east of the proposed development; and

iv. a review of borehole logs drilled within the footprint of the proposed development and the local area.

7.5.7. A review of the borehole logs and water strikes would advise that no significant fracturing was encountered and shallow water strikes were notable within the shallow weathered limestone. Deeper boreholes showed either no water strikes or discrete inflows at c33mAOD or lower. As most of the development, apart from the AWN[1], will not require excavation below the level of deeper water strikes, inflows are only expected to arise from discrete flow from within the shallow weathered zone. An estimated maximum groundwater inflow of 342m^3 is predicted and given the proposal to provide an attenuation pond with a capacity of 8,000m^3/day is proposed, there is adequate capacity for both groundwater and surface water inflow.

7.5.8. Other possible impacts arise due to the construction phase of the development by reason of the excavations and temporary recharge to ground, as well as the potential for contamination arising during concrete works within the excavation, the removal of soil and bedrock and the potential for accidental spillages and leakages. In terms of mitigation, the measures include the preparation of a Construction Management Plan for the site development works and an Environmental Management Plan will be in place during the operational phase of the development in order to ensure compliance with the Industrial Emissions Directive Licencing requirements. Ongoing monitoring is also currently being undertaken at the plant, also in accordance with the IED licence requirements. I am satisfied that the mitigation measures as proposed are acceptable and that the development is acceptable in terms of impacts on groundwater.

Surface Waters:

7.5.9. The existing Intel site includes extensive surface water drainage infrastructure and the main drainage lines run around the perimeter of existing buildings, falling towards the north, where they drain into the existing attenuation pond, before out-falling into the Rye watercourse via automated sluice gates. Two type of surface water collection systems are in operation whereby the storm water system takes surface water from areas of the plant where chemicals are not stored, and a contained surface water system which serves areas where chemicals are used, stored or

[1] AWN – Acid Waste Neutralisation

transferred. The contained system reroutes surface water to either dedicated underground tanks in the service yard or the Acid Waste Neutralisation (AWN) plant associated with each FAB in the event of a chemical spill or fire. Contaminated waters are therefore prevented from reaching the Rye Water, ground or groundwater.

7.5.10. The proposed development will have a separate surface water network which will discharge to a new retention pond before joining the existing attenuation pond for the overall facility. It is noted that surface water quality is to be maintained and monitored as per the requirements of the IED licence for the Intel facility. It is also noted that treatment is included in the design to manage pH of the runoff, if required.

7.5.11. The operational phase provides for an increased hard standing area and therefore surface water runoff is increased. The proposed development has adequate attenuation with a storm water retention pond of 8,000m3 to maintain greenfield runoff levels. It is also noted that drainage within the proposed development will be managed in accordance with the facility Environmental Management Plan and IED licence requirements.

7.5.12. Mitigation measures are designed into the proposed development and the development will be subject to ongoing monitoring during the construction phase to ensure that the development is undertaken in a manner to minimise the potential impacting on surface waters or ground waters. The site-wide mitigation measures and spill control programme currently in place at the Intel Ireland site, which is implemented as part of its Environmental Management Plan and IED licence requirements, will apply to the proposed development during the operational phase. The following features are incorporated into the integrated storm water management system to maximise the quantity of clean runoff water discharged directly to the River Rye:

1. Isolation of chemical unloading areas
2. Collection of potentially contaminated runoff in the Contained Storm System
3. Routing uncontaminated water away from the Contained Storm System
4. The collection of site runoff waters at the retention pond.

7.5.13. In light of the above, I am satisfied that the proposed development can be considered acceptable.

Flooding:

7.5.14. In terms of flooding, the Board will note that the application included a Stage 1 Flood Risk Assessment (FRA). The assessment identified that the subject site is located within Flood Zone C, as defined in the Flood Risk Management Guidelines. In arriving at this decision, the FRA considered the available existing flood records for the study area, which extended beyond the site boundaries and included a hydraulic analysis of the Rye Water River, and noted that the site of the proposed development is not at risk of flooding.

7.5.15. The Flood Risk Assessment concludes that no flood hazards for the proposed development have been identified. As the associated drainage will be attenuated for greenfield run-off the proposed development will not increase the risk of flooding elsewhere in the catchment. I am satisfied that the development can be considered acceptable and will not, if permitted, give rise to flooding issues either on the site or on adjacent lands.

Impacts on Flora & Fauna:

7.5.16. The Board is referred to Section 9 of this report which deals specifically with Appropriate Assessment and my assessment of the potential impact of the proposed development, in accordance with the requirements of Article 6 of the Habitats Directive, on the qualifying interests of the Rye Water Valley / Carton Special Area of Conservation (Site Code: 001398). The EIS, at Chapter 6, seeks to deal with biodiversity issues and a separate Natura Impact Statement (NIS) has been submitted in support of the proposed development. The closest Natura 2000 site is approximately 20m to the north, being the Rye Water Valley / Carton SAC, site code 001398.

7.5.17. The EIS presents the baseline ecological date in relation to the site and seeks to address a number of potential impacts associated with construction and operational phases of the proposed development. While the Rye Water Valley / Carton SAC is located to the north of the site, other habitats present on the site are generally of a local importance and of limited ecological value. In terms fauna, surveys have identified the presence of bats and kingfishers (an Annex I bird species under the

Birds Directive) in proximity to the river. Field surveys also identified 3 badger setts on site. During a survey for potential Vertigo mollusc habitat in 2011, a population of the very rare Small Amber Snail *Succinea oblonga* (listed in the Red Data Book as Endangered) was recorded on the site. This population was translocated in 2013 and a further survey in 2015 found the habitat to be intact. The Rye River corridor is known to support otters, white-clawed crayfish and salmon (all listed under Annex II of the Habitats Directive).

7.5.18. The development area has been defined as two separate areas for the purposes of the EIS assessment, with Area 1 located to the east of the site and Area 2 to the west and north of the site, and potential impacts associated with the proposed development are identified. Mitigation measures are proposed to minimise the extent of light spill onto perimeter vegetation during night-time works and mitigation has been designed into the proposed development in terms of accidental spillages. In addition, the development seeks to ensure good management and monitoring of surface water runoff during the construction phase and in order to maximise the biodiversity value of the new screening mounds, a qualified ecologist will prepare a Habitat Management Plan for the site. In terms of the protection of badgers, the EIS advises that pre-construction monitoring of potential badger setts will be carried out.

7.5.19. Subject to the implementation of the mitigation measures proposed, significant residual impacts that will remain include:

- Loss of dry calcareous and neutral grassland deemed to be long term and significant;
- Loss of mature hedgerows deemed to be long term and significant at local scale. New landscaping will reverse impacts when it matures.
- The loss of woodland habitat within the site will be permanent, and significant at local level. This impact will be off set as a result of increased area of woodland planting.
- Potential disturbance to foraging badger, particularly along the western area of Area 2.

7.5.20. I am satisfied that the issue of potential impacts on flora, fauna and biodiversity have been adequately addressed and that the proposed development is acceptable in this regard.

Impacts on Architectural Heritage:

7.5.21. The EIS identifies the following buildings as being located within the vicinity of the proposed development site and which are included in the Record of Protected Structures for Kildare:

- Collinstown House (B11-117)
- Deey Bridge and Lock (B06-14) (NIAH Reg. 1190602)
- Hedsor House (B06-07)
- Carton House (N06-09)
- Leixlip Gate (NIAH Reg. 11901101)
- Castletown House, Entrance Gates etc. (B11-113)
- The Wonderful Barn Complex (B11-15) (NIAH Reg. 11901102)

7.5.22. In addition to the above, the following structures of heritage merit, which are not included in the RPS, are located on and near to the subject site:

- Blakestown House
- Nelson's Cottage
- Royal Canal

7.5.23. In terms of potential impacts, the EIS notes that no protected structures are located on the subject development site and as such, no direct impacts are anticipated. Having regard to the location of Nelson's Cottage and Blakestown House, it is considered that these buildings exist within a heavily industrialised landscape and that no further visual impacts will occur as a result of the proposed development.

7.5.24. Mitigation measures in terms of Blakestown House, given its location adjacent to the proposed development site, are presented whereby avoidance is proposed in the interests of the continued preservation of this complex. Nelson's Cottage, which is located on Intel lands but outside the proposed development site boundary, is described as having being vacated in the last 10-15 years. While it is advised that the house is maintained by Intel, the EIS also notes that the house is now derelict and in a poor state of preservation, although structurally sound. Many original features are gone and sash windows have been replaced with PVC. The Boards

decision in relation to the previous permitted development, PL09.241071 refers, included a condition requiring that proposals for the conservation, renewal, maintenance and use of Nelson's Cottage be submitted and agreed with the planning authority prior to the commencement of development. Should the Board be minded to grant permission in this instance, I consider it appropriate to include a similar condition.

7.5.25. In terms of archaeology, three known archaeological sites, which were uncovered during archaeological monitoring as part of the R449 Celbridge interchange scheme, were identified as follows:

	RMP	Townland	Site Type
•	KD011-054	Collinstown (Leixlip ED)	Habitation Site
•	KD011-055	Collinstown (Leixlip ED)	Excavation Miscellaneous
•	KD011-056	Collinstown (Leixlip ED)	Kiln

7.5.26. Having regard to the existing site conditions, which include primarily previously built / disturbed ground, together with the lack of any recorded monuments within the proposed development site, I am generally satisfied that there will be no indirect impacts on recorded monuments. However, given the high occurrence of new archaeological sites during the construction of the Celbridge Interchange Scheme, the EIS acknowledges that there is a potential direct impact associated with the development in terms of unknown sub-surface archaeological features. In terms of mitigation measures, the EIS proposes a programme of pre-development archaeological testing and monitoring during the construction phase.

7.5.27. I am satisfied that the proposed development will not detract from the architectural heritage of the area or unduly impact on the character, setting or views, to and from, any structure of architectural merit. Subject to pre-development archaeological testing, I am further satisfied that the development will not unduly impact on potential archaeology of the area.

8.0 Environmental Impact Assessment

8.1. Environmental Impact Statement:

8.1.1. The EIS submitted with the planning application is presented in a grouped format structure with appendices and a non-technical summary submitted in separate documents. In addition, separate reports are included to address topics including:

- Natura Impact Statement
- Flood Risk Assessment Screening Report
- Traffic Assessment Report
- Civil Drainage Report
- Planning Application Report

8.1.2. The EIS provides 17 chapters and seeks to address all environmental matters associated with the proposed development. I have read this EIS, including the above mentioned reports and all documents submitted following the response to the further information request, in its entirety. The EIS provides a non-technical summary as well as a reasoning for the EIS, including its scope and the structure and methodology of same. The EIS submitted provides information in relation to a number environmental aspects and describes the potential effects the development will have on the receiving environment. It is also to be noted that the EIS is advertised in the public notices.

8.1.3. This planning application, which was accompanied by an EIS, was submitted to the Planning Authority prior to 16 May 2017, the date for transposition of Directive 2014/52/EU amending the 2011 EIA Directive. Under the transitional provisions of the 2014 Directive, the 2011 Directive (Directive 2011/92/EU) as transposed into Irish legislation will apply to the appeal. I am satisfied that the information contained in the EIS complies with article 94 of the Planning and Development Regulations 2000. The document also seeks to comply with the new requirements introduced by Directive 2014/52/EU.

8.1.4. The EIS seeks to:

- Describe the proposal, including the site, and its surroundings, as well as the development's design and size;
- Describe the measures envisaged to avoid, reduce and, if possible, remedy significant adverse effects;
- Provide the data necessary to identify and assess the main effects the project is likely to have on the environment;
- Outline the main alternatives studied and the main reasons for the choice of site and development, taking into account the effects on the environment.
- A non-technical summary is provided in a separate document.

8.1.5. The EIS includes a section on the alternatives examined, chapter 3. The EIS advises that due to the scale of the facility and its utility demands, Intel conducted a site search, to see if a better site existed in the region or country. While the search yielded some potential sites, none satisfied the project in terms of schedule, accessibility, infrastructure costs, environmental robustness or population catchment.

8.1.6. In terms of layouts, the EIS considered a number of alternatives and concluded that the west side option is the most appropriate given that the area has been cleared, by the demolition of the previous buildings, the development can be undertaken while leaving all other buildings and services largely intact and development at this location enables linkages to and use of existing IR5 and FAB10 buildings for gowning[2] and administration activities, as well as providing linkages to IR1 and to existing services and utility buildings.

8.1.7. In terms of alternative processes, the Board will note that manufacturing processes are outside the scope of this project. Intels' manufacturing is a unique and highly sophisticated series of processes which, once developed at a prototype plant, are replicated at other sites following a 'copy exactly' approach. There is no provision for deviation from the tested and validated manufacturing model. Finally, the EIS considers alternative colour schemes for the proposed development, concluding that the continuation of the use of the dark brown colour results in least visual dominance, prominence or significance of effect in nearby environs, as well as over

[2] Gowning is required by people working in the fabrication facilities.

longer distances. Overall the assessment of the potential environmental impacts arising from the alternatives considered is acceptable, in my opinion.

8.1.8. Chapter 4 of the EIS provides a description of the project in detail, which includes a description of the site and its surroundings. The proposed development comprises the construction of 9 buildings and ancillary works, all of which are described in detail at section 4.4 of the EIS. It is estimated that the construction works will take approximately 3 years and reference is made to the Outline Construction Management Plan which has been submitted in support of the proposed development. This Plan describes the construction procedures and methodology that will be used for the construction of the new FAB[3]. In terms of the protection of the environment during the construction phase, the EIS notes that specific environmental mitigation measures will be strictly adhered to throughout the construction of the development. This chapter concludes advising that Intel Ireland will apply for an Industrial Emissions (IE) licence from the EPA for the operation of the facility. This licencing requirement is in accordance with the EU Directive on IPPC Licencing (codified as 2008/1/EU which replaced 96/61/EC) as amended by the Industrial Emissions Directive (2010/75/EU).

8.1.9. The EIS provides a Non-Technical Summary (NTS), associated with the main EIS document, in a separate document. The NTS provides an introduction and seeks to describe the proposed development, as well as provide a summary of the findings about each of the environmental topics that are examined in the EIS. The information presented is in clear and non-technical language. Notwithstanding the submission of Mr. Sweetman & Wild Ireland in this regard, I am satisfied that the NTS is acceptable.

8.1.10. Having reviewed the Environmental Impact Statement, Natura Impact Statement and all the supporting documentation to the application, observers' submissions and the applicant's response, I am satisfied that the information is sufficiently detailed and comprehensive to allow the Board to carry out a robust and accurate assessment of the development for the purposes of environmental impact assessment.

[3] Semi-conductor Water Fabrication Facility / buildings are referred to as FAB

8.2. Environmental Impact Assessment

8.2.1. In accordance with the requirements of Article 3 of the EIA Directive and Section 171A of the Planning and Development Act, 2000 (as amended), the environmental assessment is carried out under the following headings:

(*a*) human beings, flora and fauna,

(*b*) soil, water, air, climate and the landscape,

(*c*) material assets and the cultural heritage, and

(*d*) the interaction between the factors mentioned in paragraphs (*a*), (*b*) and (*c*).

8.2.2. This assessment has had regard to the application documentation, including the Environmental Impact Statement, and all other supporting reports submitted, as well as all written submissions.

Identification & Description of the likely significant effects of the proposed development:

8.2.3. The EIS chapters seek to address the main likely significant direct and indirect effects arising from the proposed development, and the interaction of the environmental aspects in accordance with the requirements of Schedule 6 of the Planning & Development Regulations, 2001 as amended. Chapter 17 considers the interactions by means of cross referencing each environmental aspect against all other aspects considered.

Assessment of the Likely Significant Effects Identified, having regard to the mitigation measures proposed:

8.2.4. **Human beings**

The EIS, Chapter 5, seeks to address impacts associated with the development on population & human health. The EIS presents information with regard to impacts on human beings under a number of headings as follows:

- Land Use & Roads:
  During the construction phase of the development, there will be some temporary disruption to the existing land use on site to facilitate works. As the works will be

confined to the Collinstown Campus, it is considered the development will not impact on surrounding land uses.

The Board will note the concerns raised by third parties in relation to the level of soil and rock removal from the site in order to accommodate the proposed development and the first party response in this regard. There is no doubt but that the scale of the proposed development can be considered significant, albeit smaller than previously permitted. However, the subject site is already a significant industrial development and is located on suitably zoned lands for the nature of the development proposed.

It is accepted that the level of excavation estimated within the EIS would represent a worst case scenario and I would agree that given the scale of the development proposed, the level of ground works proposed can be considered commensurate and acceptable. I would also note the necessity for the proposed development to connect on the level with the existing facility on the site, making excavation necessary. The impacts associated with the excavation of the site are considered under a number of other environmental aspects below.

In terms of the potential impacts on human beings, I would note that the principal areas of excavation on the subject site are somewhat removed from the appellants residential properties on Kellystown Lane.

The development will generate an increase in traffic both during the construction and operational phases. The EIS concludes that the impact will result in negligible effects and notes that increased traffic volumes is a cumulative result of the urbanising edge of the Greater Dublin region. The existing road network is considered to be operating within capacity and the previously permitted multi-storey car park will alleviate traffic delays and parking difficulties.

Subject to the implementation of proposed mitigation measures, and subject to compliance with recommended conditions, I consider that adverse and / or cumulative impacts on local land uses are unlikely to occur during operation and any residual impacts are likely to be minimal.

- Population, Employment & Economic Activity:

  Direct and indirect impacts will arise as a consequence of the construction and operation of the development. The development will generate direct and indirect a maximum of 3,000 jobs on and off the site during the construction phase with approximately 850 permanent jobs arising during the operational phase. It is likely that there may be limited impact on accommodation and housing demand, with a slight increase in population linked to the construction activity.

  The proposed development will possibly generate a growth in housing demand locally which should lead to greater investment and improvement in services and amenities. Cumulative impacts on population, employment and economic activity, from the proposed development in conjunction with existing, planned or proposed developments, are likely to arise and it is considered that these impacts will be positive.

- Tourism, Heritage, Amenity & Recreation:

  In terms of potential impacts on tourism, heritage amenity and recreation, given the well screened nature of the site, together with the established land use of the site, it is not anticipated that there will be any significant impacts, or cumulative impacts, on tourism, heritage, amenity and recreation in the area.

8.2.5. **Flora & fauna**

The closest Natura 2000 site to the development site is the Rye Water Valley / Carton SAC, site code 001398 which is approximately 20m to the north of the site. The Royal Canal pNHA flows to the south and east of the overall site. The main development area has been defined as two separate areas for the purposes of the EIS assessment. Area 1 located to the east of the site and Area 2 to the west and north of the site. While no development works are proposed within the Special Area of Conservation, the proposed water tanks to the east of the site will be located approximately 30m from the SAC while works in the western area, towards the north, will be approximately 70m from the Rye Water Valley / Carton SAC. Habitats present on the site are generally of a local importance and of limited ecological value. In terms fauna, surveys have identified 3 badger setts on proposed development site.

In terms of potential impacts, the EIS notes that the following having been identified:

- Area 1:
    - Lighting during construction and operation
    - Accidental spillages
    - Noise and vibration

  Development works are likely to have a significant impact on birds and bats in the short term and at a local level in the absence of mitigation within Area 1 of the site. The impact is unlikely to have effects within the site but could affect the woodland habitats and associated fauna to the north towards the Rye River. Woodland with suitable oak and ash for roosting and foraging bats are located approximately 60m to the north of Area 1.

  In terms of accidental spillages from the chemical warehouse and storage tanks, it is considered that they would be unlikely to reach the Rye River due to inherent design measures. It is further noted that all areas of the site where chemicals are stored or handled are drained separately to the on-site waste water treatment system.

  In terms of noise and vibration, it is considered that the impact may disturb bats and birds. It is however noted that the works proposed in Area 1 will not result in the direct loss of semi-natural habitats.

  Mitigation measures are proposed to minimise the extent of light spill onto perimeter vegetation during night-time works and all lights that are pole mounted will be directional and / or cowled to ensure that light is directed downward and inwards. Mitigation has been designed into the proposed development in terms of accidental spillages.

- Area 2:
    - Impacts on groundwater and surface waters
    - Site clearance / ground preparation
    - Earthworks (screening mounds and retention ponds)
    - Lighting during construction and operation
    - Noise and vibration

The ground works and excavations, and in particular within Area 2, have the potential to impact water, both ground and surface, during dewatering during the construction phase. Other potential impacts arise in terms of discharge of contaminated surface water to the River Rye and to the aquatic species the river supports. Site clearance and ground works have the potential to impact on flora and fauna, in particular badger as evidence of foraging was recorded in the south western area of the subject site. Similar issues in relation to lighting, noise and vibration as arising in Area 1 will also occur in Area 2 of the site, with otters potentially impacted upon.

A number of mitigation measures have been identified to reduce the effects of site clearance and include good management and monitoring of surface water runoff during the construction phase. In terms of the protection of badgers, pre-construction monitoring of potential badger setts will be carried out.

In terms of residual impacts, the EIS identifies the following:

- Loss of dry calcareous and neutral grassland deemed to be long term and significant;
- Loss of mature hedgerows deemed to be long term and significant at local scale. New landscaping will reverse impacts when it matures.
- The loss of woodland habitat within the site will be permanent, and significant at local level. This impact will be off set as a result of increased area of woodland planting.
- Potential disturbance to foraging badger, particularly along the western area of Area 2.

I am generally satisfied that the matter of flora, fauna and biodiversity has been adequately addressed in the environmental impact statement and in terms of potential impacts on flora and fauna, it is not anticipated that there will be any significant impacts, or cumulative impacts arising.

8.2.6. **Soil**

In terms of likely significant impacts arising with regard to soils, I refer the Board to Chapter 7 of the submitted the EIS, which deals with Soils, Geology & Hydrogeology. Direct impacts are likely to arise during construction of the proposed development,

notably as the proposed development will involve site excavations with the deepest excavation requiring soil stripping and rock excavation up to 17m below the existing ground level.

All development works are to occur within the Intel site and mitigation measures are proposed. The measures include the preparation of a Construction Management Plan for the site development works and an Environmental Management Plan will be in place during the operational phase of the development in order to ensure compliance with the Industrial Emissions Directive Licencing requirements. Ongoing monitoring is also currently being undertaken at the plant, also in accordance with the IED licence requirements.

Having regard to the footprint of the development and its location within the Intel Campus, it is anticipated that there will be no significant residual impacts on the soils, geology and hydrogeological environment, either on site or in the vicinity subject to appropriate mitigation and construction methodologies described and in this regard, I am satisfied that the mitigation measures as proposed are acceptable.

Cumulative impacts on soil, from the proposed development in conjunction with existing, planned or proposed developments, are not likely to arise.

8.2.7. **Water**

Ground Waters:

The underlying aquifer and groundwater levels have been extensively assessed as part of the preparation of the Environmental Impact Statement, as have the vulnerable water environment receptors in the vicinity of the site, including the Rye Water, Tufa Springs, Louisa Springs (and Leixlip Spa) and the Royal Canal.

There is potential for direct impacts on groundwater during the construction phase of the development by reason of dewatering, due to the excavation works, and temporary recharge to ground, as well as the potential for contamination arising during concrete works within the excavation, the removal of soil and bedrock and the potential for accidental spillages and leakages. There will be a temporary impact on the local hydrogeological environment associated with the temporary dewatering. The impact is considered to have a temporary, imperceptible significance and a neutral impact on quality. No likely significant impacts on the geological or hydrogeological environment associated with the operation of the proposed

development arise. The impact is considered to have a long-term, imperceptible significance and a neutral impact on quality.

Having regard to the information presented in the Environmental Impact Assessment, and subject to the implementation of mitigation measures, no long term significant impacts or cumulative impacts, on the natural groundwater regime arise.

Surface Waters:

Construction activity has the potential to result in indirect effects. Having regard to the short term and localised nature of the impacts, and the mitigation measures proposed, it is considered that no significant impacts on water will arise. The potential for impact during the operational phase, is considered to be long term and negligible. No cumulative impacts arise.

During the operational phase, the Board will note that the existing Intel site discharges, under licence, surface waters to the Rye watercourse via automated sluice gates with two types of surface water collection systems in operation including the storm water system, which takes surface water from areas of the plant where chemicals are not stored, and a contained surface water system which serves areas where chemicals are used, stored or transferred. The proposed development will have a separate surface water network which will discharge to a new retention pond before joining the existing attenuation pond for the overall facility and all surface water discharges will be managed in accordance with the facility Environmental Management Plan and IED licence requirements.

Flooding:

The Stage 1 Flood Risk Assessment (FRA) indicates that the subject site is located within Flood Zone C, as defined in the Flood Risk Management Guidelines and as such, the site is not at risk of flooding.

In terms of pluvial flooding, usually caused by intense rainfall, the FRA notes that the main Intel Campus and the proposed development area has an extensive storm-water drainage therefore limiting the risk of pluvial flooding at the site. The underlying groundwater is within a Locally Important Aquifer where the bedrock is moderately productive only in local zones. Given the extensive borehole testing which has been undertaken on the site, the FRA advises that there is no evidence of groundwater flooding at the Intel site.

The Flood Risk Assessment concludes that no flood hazards for the proposed development have been identified. As the associated drainage will be attenuated for greenfield run-off the proposed development will note increase the risk of flooding elsewhere in the catchment. It is considered that no significant impacts arise with regard to flooding either on the site or on adjacent sites.

Cumulative impacts on water, from the proposed development in conjunction with existing, planned or proposed developments, are not likely to arise.

8.2.8. **Air / dust / Climate / Noise & Vibration**

Air:

There is potential for a number of emissions during the construction phase of the development including dust arising from construction activities as well as exhaust emissions from construction machinery and traffic. In terms of mitigation, a dust minimisation plan will be formulated as part of the Construction Management Plan and monitoring will ensure that any dust nuisance events occurring outside the site boundary will be curtailed and rectified. These impacts are considered to be local, temporary and will not give rise to significant impacts on amenity.
The Intel Campus is subject to IED licence requirements as determined by the EPA. New air emission sources have been identified for the operational phase of the development. The emissions have been modelled as part of the overall environmental impact assessment and mitigation measures are identified. The EPA will identify the monitoring requirements as part of a new licence application.

In terms of the information presented and the nature of the development proposed, it is considered that the Environmental Impact Statement has adequately addressed the impacts in terms of air quality and that the development can be considered acceptable. Cumulative impacts, from the proposed development in conjunction with existing, planned or proposed infrastructure, are not likely to arise.

Climate:

In terms of the impact of the development on climate, it is accepted that the nature of the facility proposed will result in the emission of gases into the atmosphere. Existing greenhouse gases from the Intel plant are associated with the combustion of fossil fuels and section 9.5.2.3 of the EIS notes that Intel is the holder of a Green House Gas Permit (GHG-058-10373) from the Environmental Protection Agency.

It is noted that the use of perfluorinated carbon (PFC) compounds is essential to the manufacture of high performance semi-conductor products. These compounds have relatively high global warming potentials, but little local impacts. Through voluntary agreements, Intel has committed to reducing emissions of PFC and it is advised that emissions of PFC from the revised manufacturing facility are estimated to be approximately 0.1% of the current national emissions total.

Cumulative impacts, from the proposed development in conjunction with existing, planned or proposed infrastructure, are likely to arise in relation to climate. These impacts are considered acceptable given the ongoing energy conservation practices undertaken by Intel, together with the commitment to normalise emissions levels, by way of voluntary agreements, up to 2020. In addition, monitoring of emissions from the facility will be carried out on a regular basis to ensure compliance with the IED licence requirements.

Noise:

The construction phase of the development has the potential to generated significant noise emissions particularly in the initial 5-month period of the construction phase during the excavation works. Construction traffic will also have potential to impact noise levels in the area. The impacts arising during the construction phase will be short term and temporary and, subject to appropriate mitigation, acceptable.

In terms of operational noise, the primary sources from the development will be long-term, arising from additional manufacturing and building services plant, additional vehicular traffic on the public roads and site and the car park on site. Mitigation measures include the provision of acoustic barrier screens which have been built into the design of the proposed development. Subject to the implementation of mitigation measures, the predicted cumulative plant noise emissions are considered to be within the daytime, evening and night-time limit values at all locations.

Vibration:

Vibration is only likely to occur during the construction phase during the excavation and rock breaking phase. It is considered that, subject to the implementation of mitigation measures, no significant impacts with regards to noise and vibration arise.

Cumulative impacts on air, dust, climate, noise and vibration, from the proposed development in conjunction with existing, planned or proposed developments, are not likely to arise.

8.2.9. **Landscape**

Direct, indirect and cumulative impacts will arise as a consequence of the proposed development. The visual assessment includes a series of photomontages which seek to represent the proposed development from a number of points in and around the site and includes an assessment from the nearby roads and indeed, protected structures and historic landscapes. The proposed development will be visible within short range views, and particularly from the R148 and Kellystown Lane.

In terms of the visual impacts, a number of mitigation measures to avoid or reduce effects on the appearance and character of the landscape, both locally and in the wider context, are proposed. It is considered that given the context of the site within the existing Intel Campus, together with the mitigation measures proposed, the cumulative visual impacts associated with the proposed development are acceptable.

8.2.10. **Material assets**

The description of Material Assets in the EPA Guidelines, 2002, include architectural, archaeological and cultural heritage, designed landscapes, natural resources of economic value, buildings and structures and infrastructure. Having regard to the format of the EIS submitted, these aspects of the environment are covered under a number chapters as follows:

Chapter 7: Soils, Geology & Hydrogeology

Chapter 8: Water & Hydrology. This chapter includes surface water, waste water and water supply

Chapter 11: Landscape & Visual Impact

Chapter 13: Traffic & Transportation

Chapter 14: Waste Management

Chapter 15: Cultural & Architectural Heritage

Chapter 16: Archaeology

Utility Services

The development will have direct and indirect impacts on utilities including electricity supply, water connections and gas connections. The existing Intel Campus currently has a Maximum Import Capacity of 110MVA (megavolt-ampere) in terms of electricity supply. EirGrid has confirmed that there is sufficient generation capacity in the transmission network to accommodate the development and the onsite substation has been upgraded.

In terms of water services, the proposed development will not require any new connections and water supply will be via the existing water main connections to the Intel campus. The proposed development will result in an increased demand for a total of 37M/l/d (as indicated in Chapter 8 of the submitted EIS) which is within the capacity of the infrastructure already in place servicing the Intel site. Irish Water has raised no objections to the proposed development in this regard.

In terms of waste water, Intel has a consent in place with Kildare County Council under Section 99E of the Protection of the Environment Act to discharge effluent, in accordance with the stated conditions, to the municipal foul sewer system for treatment at the Leixlip Municipal Waste Water Treatment Plant, which was upgraded in 2014 and has adequate capacity to accommodate the proposed development. There are no predicted impacts arising during the construction phase or operational phases.

There is no issue arising in relation to gas supply.

Cumulative impacts on material assets (utilities), from the proposed development in conjunction with existing, planned or proposed developments, are not likely to arise.

Traffic

Direct and indirect impacts are likely to arise and are likely to be significant in terms of roads and traffic, both during the three-year construction period and the operational phases of the development. Construction traffic will result in an increase of 14,200 to 16,900 vehicles per day including 450 to 680 HGV trips. Once operational, the development will provide approximately 850 permanent full time jobs and will result in an additional 2,730 trips on the local road network with car parking provision increasing to 3,858 spaces.

An assessment of the exiting road network, including on the R148, adjacent to the Intel entrances, the R148/R449 roundabout to junction 6 on the M4 motorway, was undertaken by the applicants. It is accepted that the development will give rise to impacts during the peak AM and PM periods and mitigation measures, including infrastructural works to be undertaken, are proposed. It is considered that following the implementation of the mitigation measures proposed, any impacts arising from the proposed development can be accommodated within the road network and are acceptable. Cumulative impacts on material assets (traffic), from the proposed development in conjunction with existing, planned or proposed developments, are likely to arise during the construction phase, but will be negligible during the operational phase.

Waste management

Direct and indirect impacts will arise due to the construction phase of the proposed development, particularly during the ground works phase. A Construction and Demolition Waste Management Plan has been prepared for the site and mitigation measures proposed to minimise impacts. It is proposed to ensure that the regional target recycling rate of 70% is achieved and the project goal will be to exceed the Intel corporate target for recycling of solid waste material of 90%.

In terms of the operational phase of the development, the current procedures for waste management at Intel Ireland will be implemented ensuring that maximum segregation is achieved at source and that waste minimisation is applied, where possible. Mitigation measures are proposed and it is considered that there will not be any negative residual impacts from the proposed development subject to the implementation of the mitigation measures.

Cumulative impacts on waste management, from the proposed development in conjunction with existing, planned or proposed developments, are not likely to arise.

8.2.11. **Cultural Heritage Assessment & Archaeology**

No direct impacts arise in relation to any protected structures. However, Nelson's Cottage and Blakestown House, both located on and adjacent to the Intel Campus, will be directly impacted upon. It is considered that these buildings already exist within a heavily industrialised landscape and as such, I consider that no further visual impacts will occur as a result of the proposed development. There will be

limited views of the proposed development from Hedsor House, protected structure, but the impact is considered insignificant.

Mitigation measures are proposed and overall it is considered that once operational, while the development will be visible, the cumulative impacts will be minimal and it will not detract from the architectural heritage of the area or unduly impact on the character, setting or views, to or from, any structure of architectural merit.

In terms of archaeology, three sites in the vicinity of the site were uncovered during archaeological monitoring as part of the R449 Celbridge interchange scheme. In terms of predicted impacts, the construction phase will primarily involve previously built / disturbed ground, with a small green area associated with the FAB building to the north of the site. Given the lack of any recorded monuments within the proposed development site, it is considered that no direct or indirect impacts arise.

However, given the occurrence of new archaeological sites during the construction of the Celbridge Interchange Scheme, there is a potential direct impact associated with unknown sub-surface archaeological features. To mitigate against potential impacts on archaeology, a programme of pre-development archaeological testing and monitoring during the construction phase is proposed. Residual and cumulative impacts are considered to be low-medium / negligible.

8.2.12. **Interaction of the Foregoing**

Chapter 17 of the EIS seeks to deal with the interactions of the environmental aspects considered and the means of reducing the impacts of the development during the construction phase and when it is in operation. I am satisfied that no likely significant effects arise.

Conclusions Regarding the Acceptability or Otherwise of the Likely Residual Effects Identified

8.2.13. The conclusions regarding the acceptability of the likely main residual effects of this proposal are identified and assessed under the various headings of the main assessment above. I am further satisfied that the significant environmental effects arising as a consequence of the development, including the residual and cumulative impacts have been adequately identified and assessed.

9.0 Appropriate Assessment

9.1. Introduction:

9.1.1. The subject site is located outside but adjacent to a Natura 2000 site, being the Rye Water Valley / Carton Special Area of Conservation (Site Code: 001398) which is located to the north and east of the subject site. The EU Habitats Directive 92/43/EEC provides legal protection for habitats and species of European importance through the establishment of a network of designated conservation areas collectively referred to as Natura 2000 (or 'European') sites.

9.1.2. Under Article 6(3) of the Habitats Directive, an Appropriate Assessment must be undertaken for any plan or programme not directly connected with or necessary to the management of a European site but likely to have a significant effect on the site in view of its conservation objectives. The proposed development is not directly connected with or necessary to the management of a European site. A Natura Impact Statement (NIS) was submitted in support of the proposed development to address the likely or possible significant effects, if any, arising from the proposed development on any European site.

9.2. Screening for Appropriate Assessment:

9.2.1. The purpose of AA screening, is to determine whether appropriate assessment is necessary by examining:

a) whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of the site, and

b) the potential effects of a project or plan, either alone or in combination with other projects or plans, on a Natura 2000 site in view of its conservation objectives, and considering whether these effects will be significant.

The NIS considered Natura 2000 sites within 20km of the subject site, and Stage 1 Screening identified five European sites, on which there is the possibility of a significant effect arising from the proposed development. These sites include three SACs and two SPAs as follows:

- North Dublin Bay SAC, Site Code 000206, 17km from the site
- South Dublin Bay SAC, Site Code 000210, 17km from the site

- Rye Water Valley / Carton SAC, Site Code, 001398, 20m from the site
- North Bull Island, SPA, Site Code 004006, 17km from the site
- South Dublin Bay & River Tolka Estuary SPA, Site Code 004024, 17km from the site.

9.2.2. Table 2.2 of the Natura Impact Statement presents the screening appraisal in tabular form. Each site was examined in the context of land take, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning. The NIS identifies the elements of the proposed development which are likely to give rise to impacts on the Natura 2000 network as follows:

- Construction impacts may include
    - disturbance to species such as birds and mammals,
    - impacts from dust and noise,
    - runoff of pollutants and / or soils into nearby watercourses,
    - dewatering
- Operational impacts may include
    - Surface water discharges,
    - Air discharges

Having regard to the separation distance between the subject site and four of the identified European Sites, the Appropriate Screening concluded that it is unlikely that significant effects on the surface water dependant habitats further downstream of the site will occur at the designated sites associated with Dublin Bay.

9.3. **Conclusion on Stage 1 Screening:**

9.3.1. It is reasonable to conclude, on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on the following European sites, in view of the sites' conservation Objectives and that a Stage 2 Appropriate Assessment is not required in respect of these sites:

- North Dublin Bay SAC, Site Code 000206
- South Dublin Bay SAC, Site Code 000210
- North Bull Island, SPA, Site Code 004006
- South Dublin Bay & River Tolka Estuary SPA, Site Code 004024

9.3.2. Due to the close proximity of the site to the Rye Water Valley / Carton SAC and the potential for impacts to occur relating to changes to surface and ground water quality and quantity and disturbance during construction and operation, in the absence of mitigation, it is considered that a stage 2 AA should be carried out. The potential impacts (direct /indirect and in-combination effects) of the development on the site are examined in light of the site's conservation objectives.

9.4. **Stage 2 Appropriate Assessment**

Potential Impacts on The Rye Water Valley / Carton Special Area of Conservation (Site Code 001398) and Mitigation proposed

9.4.1. The Rye Water Valley/Carton SAC is located between Leixlip and Maynooth, in counties Meath and Kildare, and extends along the Rye Water, a tributary of the River Liffey. The site is selected for the following habitats and species listed in Annex 1 and Annex 11 of the EU Habitats Directive:

- Petrifying springs with tufa formation,
- Narrow-mouthed Whorl Snail (*Vertigo angustior)* and
- Desmoulin's Whorl Snail (*Vertigo moulinsiana*).

The Conservation Objectives for The Rye Water Valley / Carton Special Area of Conservation (Site Code 001398) states as follows:

> Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

9.4.2. No part of the proposed development encroaches into the SAC site and as such, the development will not result in the loss, fragmentation or interference with any habitats for which the SAC is designated. The development will not result in the disturbance of any species for which the SAC is designated and as no instream

works are proposed, there will be no impacts through disturbance of sensitive aquatic species. No fragmentation of water based species is anticipated.

9.4.3. There is, however, potential that without mitigation, dewatering of the excavation site during the construction phase, may impact on ground water flow to the River Rye, which could result in a short term significant negative impact on protected species and may result in fragmentation. There will be a temporary local impact around the excavation site due to dewatering. Drilling and testing at the site confirmed that:

- boreholes did not encounter any significant water bearing fractures to target depths of 10mbgl c48m AOD
- dewatering is limited due to the presence of local, discrete fractures

9.4.4. In light of the above assessment, and in accordance with the precautionary principle, it is concluded that there is potential that the proposed development, either on its own or in combination with other developments proposed at the Intel site, may have a significant effect on the Rye Water Valley / Carton SAC, and in particular, on water quality. The works would have the potential, in the absence of mitigation, to increase siltation load /pollution events which could result in temporary effects on the species/habitats for which the site is designated.

9.4.5. Mitigation measures are proposed to address the potential adverse effects of the development and to ensure that soils, silt and other pollutants will not adversely affect the Rye Water Valley / Carton SAC or the conservation status of protected habitats and species it supports. Measures include as follows:

- Surface waters: During construction, mitigation measures, including a silt fence, two interceptor trenches and a recharge zone, will be installed prior to any construction works taking place. Surface water runoff will not be discharged to the River Rye directly under any scenario. The pouring of concrete will take place within designated areas and no bulk chemicals will be stored in the construction area.

  In terms of the operational phase, the site-wide mitigation measures and spill control programme currently in place at the Intel Ireland site, which is implemented as part of its Environmental Management Plan and IED licence requirements, will apply to the proposed development. The following features are incorporated into the integrated storm water management system to

maximise the quantity of clean runoff water discharged directly to the River Rye:

  - Isolation of chemical unloading areas
  - Collection of potentially contaminated runoff in the Contained Storm System
  - Routing uncontaminated water away from the Contained Storm System
  - The collection of site runoff waters at the retention pond.

- Groundwater: Mitigation measures are proposed for the dewatering stage of the development and a recharge zone will be established to minimise the temporary alteration to the surface water flow regime. Groundwater levels are monitored as part of the licencing requirement for the Intel facility which will confirm that the natural groundwater regime and quality is unchanged. Best practice mitigation measures in terms of grouting, soil and bedrock removal and stockpiling, accidental spillages and leaks are also proposed while the Construction Management Plan will ensure effective soil and water management during construction.

  In terms of operational impacts, an Environmental Management Plan will be in place to ensure compliance with the IED licencing requirements.

  Subject to the implementation of these best practice measures, no significant long term impacts will arise.
- Waste and Soil: The temporary storage of spoil will be carefully managed and all excavated material will be visually assessed for signs of contamination and all works will comply with the requirements of the construction and waste management plan for the site. Measures will be in place to control accidental spills and leaks and refuelling areas will be designated.
- Systems are built into the design of the site to ensure that environmental media are not impacted in the event of a spillage or fire.
- Monitoring is proposed in terms of ecology and groundwater at all stages of the development.

Subject to the implementation of these measures, it is accepted that there is little potential for significant impacts on the qualifying interests for which the site is selected, and hence, on the integrity of the site, and residual impacts are unlikely.

9.5. **In Combination Effects**

9.5.1. Plans/projects in the area which may result in potential in-combination effects are considered in section 3.4.10 of the NIS. This provides for both off site and on site cumulative effects.

9.5.2. In terms of off-site effects, it is noted that the lands to the west of the Intel Campus generally consist of agricultural lands, the demesne lands associated with Carton House and a number of residential properties. To the east of the Campus, there are further agricultural lands and the settlement of Leixlip. There are no significant plans or projects in this area which would interact in combination with the proposed development and therefore it is concluded that no in combination effects are likely to occur.

9.5.3. In terms of on-site effects, the Intel Campus is a large and complex industrial facility which continues to evolve and develop in response to advances in technology. In response to these changes, there will be further applications in the future, all of which will, where required, include an assessment of the potential for effects and interactions with existing and / or permitted developments. There have been a number of other developments on the site, including deep excavations at FAB 24 and permission has been granted for the replacement and relocation of an electrical switchroom serving the FAB10 facility. This development will include the decommissioning of the replaced switchroom. It is considered that there is sufficient distance from the currently proposed facility as not to cause a cumulative impact on groundwater flow or the SAC.

9.5.4. Impacts arising from emissions to air and water from the proposed development, in combination with the above developments, when in operation are considered unlikely as all activities at the Intel Campus are regulated by an Industrial Emissions Licence, which is monitored by the EPA.

9.6. **Conclusion**

9.6.1. I have read the submitted Natura Impact Statement in its entirety, together with all other environmental reports submitted with the planning application in support of the

proposed development, and I am satisfied that it assesses the likely significant impacts arising from the proposed development on the integrity of the European site the Rye River Valley / Carton SAC (Site Code 001398). I have had full regard to the Stage 2 Appropriate Assessment as set out in Section 3 of the NIS. I am satisfied that it has adequately identified and assessed the key characteristics of the potential impacts arising as a result of the proposed development, both alone and in combination with other projects, which could undermine the stated conservation objectives of the Natura 2000 site.

9.7. In the interests of protecting the conservation objectives of the European Site, mitigation measures are proposed in section 4 of the submitted NIS. Mitigation measures are proposed for both the construction and operational phases and includes a Construction Management Plan, while the operation of the plant will be in accordance to Best Available Technology (BAT) principles and in compliance with the Industrial Emissions licence for the site, together with ongoing monitoring. On implementation, it is submitted that there are no likely residual negative impacts on the Rye Water / Carton SAC and all probable significant negative residuals are at local level. It is concluded that the proposed development will not have a significant adverse effect on the integrity of the Natura 2000 Network.

9.8. Having regard to the nature of the subject development site, the nature of the proposed development and its location within the existing Intel Campus at a facility where all activities are regulated by an Industrial Emissions Licence, monitored by the EPA, on suitably zoned lands, together with the details presented in the Environmental Impact Statement and Natura Impact Statement, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, I consider it reasonable to conclude on the basis of the information on the file, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site the Rye River Valley / Carton SAC (Site Code 001398) or any other European site, in view of the site's Conservation Objectives.

10.0 **Recommendation**

10.1. I recommend that permission be granted for the proposed development, for the following reasons and considerations and subject to the stated conditions:

Reasons and Considerations

Having regard to-

- the provisions of the Regional Planning Guidelines for the Greater Dublin Area 2010-2022, including the identification of Maynooth/Leixlip as a 'Core Economic Area',
- the provisions of the Kildare County Development Plan 2017 - 2023 and the Leixlip Local Area Plan 2010, including the zoning of the subject lands, under the latter plan, for Industry and Warehousing,
- the nature and extent of the proposed development which consists of a revised design and configuration for component parts of the previously permitted manufacturing facility, Planning Register Reference 12/435 and ABP ref. PL09.241071 of an existing, established, industrial activity in this location,
- the pattern of existing development and land uses within the vicinity of the site;
- the submissions made in connection with the planning application and the appeal, and
- the applicant's need to apply to the Environmental Protection Agency for a review of their existing Industrial Emissions licence (Register No: P0207-04) for the expanded facility,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety. The proposed development would, therefore, be acceptable in terms of 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, as amended by the further plans and particulars submitted to the Planning Authority the 8th day of March, 2017, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. In particular, the mitigation measures described in the Environmental Impact Statement, the Natura Impact Statement, and other details submitted to the planning authority, shall be implemented in full during the construction and operation of the development.

   Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this order.

   Reason: Having regard to the nature and extent of the development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings, including details of any signage, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: In the interest of the visual amenities of the area.

4. A detailed design of road improvement works, including the upgrading of the Main Intel Signalised Access Junction, the provision of traffic related CCTV facilities at identified junctions, improvements to the R148/R449 Junction, and full details of improvement works to the M4 Interchange, including the proposed temporary traffic signals to the M4 junction 2(a), shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This shall be accompanied by a mechanism and

methodology for post construction monitoring of the impact of the development in the area and on the M4 and associated junction 2(a).

Reason: In the interest of traffic safety.

5. Details of aeronautical requirements, including any necessary lighting on the tower crane and stacks, shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. Subsequently, the developer shall inform the planning authority, Department of Defence and the Irish Aviation Authority of the co-ordinates of the as constructed positions of the tower crane and stacks.

Reason: In the interest of air traffic safety.

6. Comprehensive design details of the surface water management system, including the attenuation/retention pond, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To minimise flood risk and to prevent pollution.

7. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority the following:

(a) Proposals for the conservation, renewal, maintenance and use of Nelson's Cottage; and

(b) Proposals to minimise the impact of the proposed development on Blakestown House and garden during construction and operational stages.

Reason: In the interest of architectural heritage and visual amenity.

8. (a) Prior to commencement of development, an updated Mobility Management Plan (MMP) for the proposed development shall be prepared and submitted to the planning authority for written agreement. This plan shall contain the measures included in the submitted Environmental Impact Statement, as amended, and the strategies outlined therein, updated as considered necessary for the developer to implement a strategy aimed at reducing the usage of private cars in favour of sustainable modes of transport such as walking, cycling and public transport during both the construction and operational phases of the proposed development.

(b) Arrangements for the monitoring and regular review of the Mobility Management Plan (MMP) shall be prepared and submitted to the planning authority for written agreement prior to commencement of development. The first review shall be undertaken six months after the commencement of construction of the proposed development and thereafter such reviews shall take place annually for a period of five years. Where targets or objectives in the Mobility Management Plan are not met, this five-year period may be extended at the discretion of the planning authority. The dates for undertaking the studies and surveys associated with each review shall be submitted to and agreed in writing with the planning authority at least 14 days prior to the event.

(c) Corrective action proposed arising from the Mobility Management Plan review shall be agreed in writing with the planning authority prior to implementation. All costs associated with mobility management planning and monitoring/review of Mobility Management Plan shall be at the developer's expense.

Reason: To secure the most sustainable travel patterns appropriate to the construction and operation of the proposed development.

9. Prior to commencement of development, a comprehensive landscaping scheme, including details of all boundary treatment, shall be submitted to and agreed in writing with the planning authority. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is carried out. The site shall be completed and landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

10. 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.

Reason: To ensure adequate servicing of the development and to prevent pollution.

11. The internal road network and circulation layout in the proposed multi-storey car park including turning bays, junctions, footpaths, kerbs and cycle lanes shall comply with the detailed standards of the planning authority for such works.

Reason: In the interest of traffic and pedestrian safety.

12. Lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall minimise light pollution and shall minimise external lighting outside of operational hours.

Reason: In the interest of amenity and public safety.

13. The construction of the development shall be managed in accordance with a Construction 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 development, including:

(a) hours of operation;

(b) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

(c) location of areas for construction site offices and staff facilities;

(d) details of site security fencing and hoardings;

(e) details of car parking facilities for site workers during the course of construction, including details of the location, size and management of off-site ‘Park and Ride’ facility;

(f) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

(g) measures to obviate queuing of construction traffic on the adjoining road network;

(h) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

(i) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

(j) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(k) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater. Details shall include proposals for ground and surface monitoring; and

(l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

14. (a) During the construction phase, the developer shall adhere to the Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes, published by the National Roads Authority in 2006. In particular, there shall be no blasting or pile driving within 150 metres of an active badger sett during the breeding season (December to June) or construction works within 50 metres of such an active sett during the breeding season.

(b) Where an existing badger sett will be disturbed or destroyed, an artificial sett shall be constructed beforehand and the badgers relocated thereto. Details of any such artificial setts shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of wildlife protection.

15. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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A. Considine

Inspectorate

11th September, 2017

11.0 **Appendices**

11.1. **Appendix 1: Differences between permitted development and proposed**

PL09.241071		**PL09.248582**	
FAB building			
Height	36m	31m	
SQM	162,536m²	88,740m²	
Stacks	4.5m-15m	6 – 24m	
	2 storey link		
Utility sup blds			
Boiler & Chiller			
Height	17m	18.5m	
SQM	10,359m²	3,808m²	
Water treat bld1			
Height	22m	11.7m	Two level
SQM	14,192m²	2,375m²	
Water treat bld2		14.8m	Two level
		2,407m²	
Water purif bld3		9m	Single level
		247m²	
Emerg & elec sup			
1: height	11m	6m	
sqm	1334m²	162m²	
stacks	7m		
2: height	8m	6,	
sqm	421m²	72m²	
3: height	8m	10.8m	
sqm	254m²	281m²	
Air compressor bld			

Height		9.5m	
SQM		1,533m²	
Multi S. Car Park			
Height	15m	15m	
SQM	63,047m²	63,047m²	
Spaces	2,200	2,200	
Chemical Store			
Height	10m	10m	
SQM	1,244m²	1,245m²	
Tanks	5 no	5 no	
Height	7m	7m	
Diameter	32m	32m	
Pump House			
Height	4.8m	5m	
SQM	143m²	147m²	
Other ancillary works include new underground utilities, landscaping, new fencing and screening berms, yard structures for all buildings, bulk storage for gasses and liquids (roofed compounds 2,278m² and 5.5m high), 2 no. sprinkler tanks and associated pumps, pipe-bridge structures, stacks and roof mounted equipment to all		Revised design and configuration of previously permitted other ancillary works include new underground utilities, a two storey elevated link structure to the east of the proposed manufacturing building sized 4,647m² and 25m high, landscaping, new fencing and screening berms, yard structures for all buildings, bulk storage yard for gasses and liquids with 2 number roofed compounds sized 240m² and 5m high, 2 no. sprinkler tanks and associated pumphouses sized 36m² and 5m high, pipebridge structure, 7 no. emergency generators and their associated stacks,	

buildings and a new retention pond. The works also include new internal road layouts throughout and modifications to the west side main vehicular entrance together with modifications to the R148 road.	24m high and a new surface water retention pond. The works will also include the demolition of a redundant electricity substation sized 108m² and 4.2m high. The works will also include new internal road layouts throughout and modifications to the main central vehicular entrance together with realignment and widening to the R148 road.

11.2. **Appendix 2 – Site Planning History:**

There is extensive planning history associated with this site as follows:

ABP Ref. PL09.125413 (PA Ref. No. 01/38): Permission was granted, on appeal on 28th February, 2002 to Intel Ireland Ltd. for a development comprising an extension to the existing permitted semi-conductor wafer fabrication factory (FAB 24), currently under construction (planning register reference number 00/392); extension consists of a two-storey over basement wafer fabrication production extension sized at 8,000m^2 approximately (production floor) with 8,000m^2 basement and 4,000m^2 interstitial plant area, immediately to the east of the FAB 24 building under construction; provision of additional physical space required by the implementation of next generation 300 millimetre wafer technology; modifications to the permitted buildings together with site works, landscaping and construction activity related modifications.

ABP Ref. PL09.213161 (PA Ref. No. 05296): Permission was granted on appeal on 14th November, 2005 to Intel Ireland Ltd. for an extension to the existing permitted Semiconductor Wafer Fabrication factory (FAB 24.2), currently under construction (planning register reference number 01/38 and An Bord Pleanála appeal reference number PL09.125413) by Intel Ireland Limited and the associated development of two number multi-storey car parks, surface car parks, new vehicular entrance and other associated development summarised below. The development will consist of a two-storey over basement Wafer Fabrication production extension, sized at 16,638m^2 approximately (Production floor) with 20,178m^2 approximately basement and sub-basement and 3,883m^2 approximately interstitial plant areas, immediately to the east of the FAB 24.2 building. The development includes two number multi-storey car parks (MSCP), each three/four stories high, one housing 660 cars approximately (16,156m^2) and another housing 1300 cars approximately (29,640m^2 approximately), modifications to the existing high tension power cabling consisting of an underground supply and three number electrical switching stations/new modified towers and structures, relocated and new water supply tanks and pumphouse, a new two storey Combined Utilities Building (CUB) (sized 8,280m^2 approximately), a new yard based utility, gas storage and abatement equipment, many sited in housings or

small enclosed buildings, a new nitrogen tank farm and generation equipment, a new roads and docks and permanent surface car parking for 169 cars approximately, relocated new main vehicular entrance, a new two-storey contractor assembly/warehouse building sized 4,160m^2 approximately. Works also include provisions for spoil deposition, landscaping, fencing and miscellaneous site works and relocated and new underground site utilities and a new single storey security building. The proposal includes for modifications to the existing permitted buildings together with the site works, landscaping and construction activity related works. The development consists of an activity for which a licence, under Part IV of the Environmental Protection Agency Act, 1992 (as amended by the Protection of the Environment Act, 2003), is required. The development consists of modifications to an establishment within the meaning of Part 11 of the Planning and Development Regulations, 2001 to 2003 (Major Accidents Directive). Permission will be sought to build this Wafer Fabrication facility in modular phases, according to need during the ten year permission lifetime sought by this application.

PA Ref. No. 11/805: Permission was granted on 2nd November, 2011 to Intel Ireland Ltd. for a single storey extension to the rear of the existing FAB24 Process Support Building sized 986m^2 approx. This building extension includes an internal mezzanine and is 16m high. Permission is also sought for a two storey extension to the rear of FAB 24 Main Production Building sized 266m^2 with a height of circa 10m for gas purification. This building also includes an enclosed and cladded exhaust stack just over existing parapet level. The development includes minor modifications to yard areas, internal road and underground utilities. This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act, 1992 (as amended for the protection of the Environment Act, 2003) is required and will be notified to the Environmental Protection Agency. The development consists of modifications to an establishment within the meaning of the European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2006.

PA Ref. No. 11/846: Permission was granted on 17th November, 2011 to Intel Ireland Ltd. for a development comprising the demolition of warehouses and ancillary structures to the west of the FAB 10 Building and to the north of the IR1 (ESSM) Building including IR3 (circa 7.341m^2), IR1 Utility Buildings (circa 494m^2), the recreation centre (circa 903m^2), FAB 10 Warehouse and Chemical Store circa 3,474m^2 and miscellaneous contractor sheds and structures all mostly single storey structures. This site is to be re-levelled and landscaped with an adjacent spoil mound for disturbed material. The development includes the relocation of existing temporary contractor parking (circa 1200 cars) to the adjacent lands south of Intel at Collinstown Business Park using their existing site entrance with an adjacent spoil mound. This temporary car parking site is adjacent to two protected structures, Collinstown House (B11-117) and Deey Bridge (B06-14). The works include the demolition of an abandoned habitable dwelling and the erection of a temporary pedestrian access bridge across the Leixlip Maynooth Road (R148). This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act, 1992 (as amended for the Protection of the Environment Act, 2003) is required and will be notified to the Environmental Protection Agency. The development consists of modification to an establishment within the meaning of the European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2006.

PA Ref. No. 11/1207: Permission was granted on 12th May, 2012 to Intel Ireland Ltd. for an extension to the existing Ryebrook (Intel dedicated) high tension Substation consisting of an extension to the fenced compound sized 42 x 50m to the north of the existing Ryebrook substation and consisting of the following: A single storey control building sized 16 x 10m and 6m high. A single storey switchroom building sized 21 x 8m and 8.8m high. Related items of high tension equipment located adjacent to these buildings within a dedicated fenced (2.6m high) yard and the relocation of an existing low level pylon (16.25m high) to within the yard area and substantially in line with the existing pylon. The works include a modified access road and miscellaneous site works and landscaping. These works also include an upgrade to the existing effluent holding and discharge system consisting of a new

underground effluent balancing tank sized 21 x 13m and 6m deep located directly to the north west of the existing balancing tank. These works include a related single storey pumphouse building sized 13 x 6m and 6m high and a modified access road, site works and landscaping. These proposed works are located partially in the Rye Water Valley/Carton S.A.C. This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act, 1992 (as amended for the Protection of the Environment Act, 2003) is required and full details of the proposed development and its anticipated environmental impacts will be notified to the Environmental Protection Agency. A Natura Impact Statement accompanies this application and it will be available for the inspection or purchase at the office of the Planning Authority. The development consists of modifications to an establishment within the meaning of the European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2006.

PA Ref. No. 11/1208: Permission was granted on 30th April, 2012 permitting Intel Ireland Ltd. permission for

(a) 29 No. roof mounted stacks (with a maximum height of 12 metres, minimum 3 metres) over the FAB 24 parapet and maximum height of 8 metres over the higher existing air abatement parapet, and related items of plant and equipment;

(b) A 3 storey air treatment building extension to house abatement equipment (sized 30 x 40 metre footprint with a gross floor area of 1,980 sq. m. including access mezzanines) located to the rear of FAB 24. This building is 24 m high;

(c) A new steel structure supporting stacks and related equipment (75 sq. m.) to the rear of the FAB 24;

(d) 9 No. roof mounted air handling units and exhaust fans are also to be added to the FAB 24 roof;

(e) A new external free standing structure (175 sq. m.) with dedicated exhaust systems in the FAB 14/24 yard area;

(f) A cladded roof mounted acoustic screen to the north west of FAB 24; All of the above are principally necessitated by abatement technology alterations to the FAB 24 building;

(g) A minor extension (50 sq. m.) to and conversion of the existing single storey silane store to gas and chemical storage including a link structure and modifications to the dock area (70 sq. m.) including a new canopy;

(h) A new horizontal hydrogen tank (6 metres high) and road access to the rear of FAB 10;

(i) A single storey extension (85 sq. m.) to the existing FAB 24 electrical switchroom;

(j) A new air handling unit located on the roof of the IR6 office building;

(k) Additional external items of plant and minor modifications to existing elevations, utilities and yard areas;

(l) A previously permitted single storey aqueous building expansion to the rear of FAB 14 (sized 442 sq. m.) and the solvent bay expansion (sized 74 sq. m.) including loading dock (sized 93 sq. m.), (KCC Planning Reg. Ref. No. 07/482);

(m) Three number water storage tanks and single storey pumphouse (sized 118 sq. m.) to the east of FAB 24, previously approved (KCC Planning Reg. Ref. No. 05/296) and associated security fencing (2.4 metres high).

This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended for the Protection of the Environment Act, 2003) is required and full details of the proposed development and its anticipated environmental impacts will be notified to the Environmental Protection Agency. An Environmental Impact Statement and a Natural Impact Statement accompany this application.

PA Ref. No. 12/135: Permission was granted on 14th May, 2012 to Intel Ireland ltd. for:

(a) The construction of the single storey extension with mezzanines to the FAB 10 Water Treatment Building (R.O.D.I.) (829m^2) and 9m high and the associated demolition of an existing temporary construction assembly structure.

(b) The construction of a utility pipebridge between the FAB 10 Utility Building and the IR1 Building (500m long) including linking to internal utilities in the basement of the IR5 Building. The pipebridge is enclosed in cladding around IR1 (308m^2).

(c) The partial demolition of the west side of the existing IR1 Building (2,400m^2 total) including revised elevations, relocated and enlarged (120m^2) docks and personnel entrance and minor road alterations.

(d) The demolition and relocation of a single storey sprinkler pumphouse (30m^2) and tank and its relocation to the rear of FAB 10, and the demolition of an existing waste drumstore (150m^2). The addition of miscellaneous items of plant and equipment including relocated emergency generators and temporary utility systems to the rear of FAB10 and IR1 and IR5.

This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act, 1992 (as amended for the Protection of the Environment Act, 2003) is required and will be notified to the Environmental Protection Agency. A Natura Impact Statement accompanies this application and it will be available for inspection or purchase at the office of the Planning Authority. The development consists of modifications to an establishment within the meaning of the European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2006.

PA Ref. No. 12/398: Permission was granted on 10th August, 2012 to Intel Ireland Ltd. for the reconstruction, repair and structural strengthening (including increasing the height of the walls by 1.5 metres) of an existing stone bridge ("Cullen's Bridge over the Rye River), and associated laydown area, located at Intel Ireland, Leixlip, within the Rye Water Valley/Carton S.A.C. A Natura Impact Statement accompanies this application and it will be available for inspection or purchase at the office of the Planning Authority. The Intel Ireland production site is

licensed under Part IV of the Environmental Protection Agency Act, 1992 (as amended for the Protection of the Environment Act, 2003) and the Intel Ireland production site is an establishment within the meaning of the European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations, 2006.

PA ref 12/669: Permission granted 9/12/2012 for modification of stacks and works including addition of various roof mounted equipment alterations and additions to permitted stacks and structures in yard between Fabs 14 and 24. Three storey extension to rear of Fab 24 to house electrical equipment, Modifications to singles storey electrical switch room to the rear of Fab 24 (previously permissioned 11/1208)

PA ref 12/708: Permission granted 18/12/12 for reuse and extension of temporary car park.

PA ref 12/993: Permission granted on 22/3/2013 for modifications and alternations to the previously permitted Rybrook Extension (Intel dedicated) high tension substation compound (11/207)

PA ref 13/549: Permission granted 7/10/2013 for the raising of the parapet on the F24 Air Treatment Building.

ABP ref PL09.242826 (PA ref 13/786): The Board upheld decision to grant permission for temporary car parking to the west of the Intel campus.

PA ref 13/837: Permission granted 27/1/2014 for the construction of an air separation unit to support the manufacturing process.

PA ref 14/75: Permission 5/5/2014 for the construction of a weather enclosure within the Ryebrook Substation Compound.

PA ref 14/100: Permission granted 12/5/2014 for single storey addition to the rear of Fab 24 process support building and a mezzanine, tanks and tanker loading area.

PA ref 14/750: Permission granted 30/1/2015 for change of use of a temporary disassembly building to the rear of Fab 10 to a permanent building for the storage of chemically solid hazardous sold waste. (PL09.244142 Third party appeal by the current appellant deemed invalid)

PA ref 15/565: Permission granted on 2/10/2015 for the installation of chemical tanks and exhaust stacks to the rear of Fab 24 and boiler house stack to Fab 14.

Adjacent Sites:

ABP ref PL.09.247028 (PA ref 16/523): Permission was granted to Eirgrid PLC, for development comprising the replacement of an existing triple circuit branch mast of 34m in height at Confey which supports the exiting Corduff-Ryebrook, Maynooth RyeBrook and Dunfirth Kinnear Rinawade 110kV overhead line circuits with three masts of maximum heights of 15m (single circuit mast) 24m and 34m (both double circuit masts) and all ancillary site works to occur in the immediate vicinity of the existing mast. This will also result in the consequential realignment of the existing circuit conductors which will be supported on the new structures. The purpose of the mast is to reduce the dependence on one mast to carry three overhead line circuits by means of providing an individual mast in this location for each of the three lines. The masts will be of latticed steel construction similar to the existing mast.