



An
Bord
Pleanála

Inspector's Report ABP 307296-20

Development	A two-storey 110kV electricity GIS substation, underground cabling and all associated and ancillary site works.
Location	Former Clyde House, IDA Blanchardstown Business and Technology Park, Snugborough Road, Blanchardstown Dublin 15.
Planning Authority	Fingal County Council
Applicant	Equinix Ireland Limited.
Type of Application	Application under the provisions of Section 182A of the Planning and Development Act, 2000, as amended
Date of Site Inspection	11/08/20
Inspector	Mairead Kenny

1.0 Introduction

An application has been made under the provisions of Section 182A of the Planning and Development Act 2000, as amended, for the development of an 110kV electrical gas insulated substation (GIS) and 110kV underground cabling.

The substation and electrical connection are to serve a permitted data centre authorised under reg. ref. FW18A/0032.

The proposed substation will be known as the Barnageeragh Substation. The underground cabling will connect the Barnageeragh Substation with the two nearby substations, Cloghran Substation and the Snugborough Substation. The transmission line cabling will cover a distance of 0.845 kilometers and 1.415 kilometers respectively.

The Board determined that the proposal constitutes Strategic Infrastructure following pre-application consultations under ABP-301511-20.

2.0 Site Location and Description

The site traverses a fairly extensive area within the IDA Blanchardstown Business and Technology Park and the IDA Business Park in the Snugborough Road / Ballycoolin area in Blanchardstown. This location is over 2km to the north-east of the M3 / N3 and Blanchardstown Town Centre. Blanchardstown Business and Technology Park and environs is a significant centre for employment and is well connected in terms of the national road network. The subject site is part of what was the Clyde House lands. Clyde House previously operated to provide office/light industrial uses and part of the original development is retained at the north of the applicant's lands. The applicant's lands at Clyde House 1 comprise two plots: the site of the proposed substation and a larger area which is to be developed as a data centre. The overall holding extends to Blanchardstown Road North (R121) at its western limits. It is largely defined to the south and east by estate roads and to the north by the remainder of the Clyde House lands.

The site of the proposed development comprises the south-eastern corner of the applicant's landholding and is of stated site area of 3.675 hectares. At its northern and western sides, it borders the site of the proposed data centre, which the

substation and electricity transmission infrastructure would serve. The other two boundaries (east and south) are marked by estate roads. The majority of the defined application site extends along the industrial estate roads connecting the proposed substation site with the site of two existing substations (Cloghran and Snugborough). The latter two substations also serve data centres.

Photographs which were taken by me at the time of my inspection are attached.

3.0 Proposed Development

Permission is sought to develop **a two-storey 110 KV GIS substation and underground cables connecting the new substation to two existing substations.**

The proposed development would **serve a permitted data centre and form part of the transmission network** for the wider area.

The **GIS substation** would comprise:

- a two-storey 110kV gas insulated switchgear (GIS) substation to be known as 'Barnageeragh'
- this will consist of 2 no. 110 KV transformer bays within a GIS room
- other rooms and facilities
- the stated floor area of this is 1055 m² and the overall height is 15 m
- this would be located within a compound of stated area of 1655 m² which would be surrounded by a 2.6 m high palisade fence
- the subject building is to be finished in black coloured composite panels
- landscaping is proposed along the southern and eastern boundaries.

Cable no. 1 commencing at the proposed Barnageeragh substation would follow an easterly route along the estate road then take a northerly route along Snugborough Road to terminate at Cloghan substation (a distance of 845m overall).

Cable no. 2 takes the same route but extends further along Snugborough Road and into the IDA Business Park at Ballycoolin and terminating at Snugborough substation (a distance of 1,415m overall).

Other elements of the proposed development are:

- connections to public water supply, public sewer and surface water drains
- localised works to facilitate connections to the substations
- minor revisions to the landscaping and boundary treatments at the permitted data centre
- vehicular access and provision of 3 no. car parking spaces
- all associated and ancillary works.

The planning application drawings and other submissions are supplemented by the following reports:

- Planning Report.
- Combined Engineering Report which addresses Screening for Appropriate Assessment, Flood Risk Assessment, Civil and Structural Engineering Report and a note on EIA requirement.
- Architectural Planning Report.
- Archaeological Survey.

A stand-alone website has been set up.

4.0 Submissions and Observations

4.1. Planning Authority

The submission includes the following content and comments:

- The site is within a Business Park of significant scale.
- The Environment Section recommends that a detailed Construction Waste Management and Demolition Plan be agreed prior to commencement of development.
- The planning history at Clyde House includes a live application reg. ref. FW 20A/0087 for revisions to the permitted data centre (reg. ref. FW18 A/0032 and FW19A/0176).

- The permitted data centres and associated substations of Cloghan and Snugborough are also described in terms of their planning history.
- The National Strategic Outcome 5 in the NPF is associated with actions including promotion of Ireland for ICT infrastructures such as data centres. This is reiterated in the RSES for the Eastern and Midlands region.
- The proposed development would generally comply with policy regarding provision of infrastructural services to appropriately zoned lands. The development is supported by national, regional and local planning policy. The principle of development is therefore considered acceptable.
- The planning authority has serious concerns regarding the visual impact arising given the prominent site. It is requested that a landscape plan be agreed with the planning authority in the interests of visual amenity in the absence of detailed landscaping plans and having regard to the applicant's comments regarding constraints associated with the substation.
- Construction phase Traffic Management Plan should be agreed with the planning authority and construction traffic managed to minimise the impact during peak hours and HGV activity managed to avoid queueing.
- As most of the works will be on private roads it should be clear that all relevant consents are in place.
- The recorded monuments described as a mound is situated to the south-east of the former Clyde House site. The conclusions of the archaeological report are considered acceptable.
- There are no objections in respect of surface water management proposals and the flood risk assessment conclusion is noted. There are watermains and sewers in the roads where transmission lines would be installed. The developer should liaise with Fingal County Council and Irish Water with regards to the proximity of services to the transmission line.
- The proposed development would facilitate a substantial data centre and such infrastructure has a significant impact on energy demand and use. The planning authority considers that there would be a synergy between the

overall proposal and the current approach towards sustainable energy provision and usage in the context of climate change.

- The planning authority would support imposition of a condition towards financing and education and awareness programme in respect of renewable energy and energy conservation as a community gain.
- Regarding section 48 contributions no levies arise in relation to underground works. A bond would be requested to ensure road reinstatement. No section 49 supplementary schemes would affect this development. No special contributions are recommended.
- To conclude the development would be consistent with relevant national, regional and local planning policy, would serve an authorised data centre and is otherwise considered acceptable. Conditions are recommended.

4.2. **Prescribed Bodies**

Irish Water requests that further information be sought in relation to the protection of infrastructure. A wayleave in favour of Irish Water will be required over all infrastructure on the site that is not located within the public space.

Transport Infrastructure Ireland - no observations.

The following prescribed bodies were also notified of the application:

- Minister for Housing, Planning and Local Government
- Minister for Communications, Climate Action and Environment
- Department of Culture, Heritage and the Gaeltacht
- Fingal County Council
- Transport Infrastructure Ireland
- An Taisce
- Heritage Council
- Commission for Regulation of Utilities, Water and Energy
- Health Services Executive

4.3. **Observations**

None.

5.0 **Applicant's Response to Submissions**

The applicant was offered an opportunity to respond to the application submissions. No response was received.

6.0 **Planning History**

6.1. **Clyde House lands / subject site.**

FW 17A/0168 relates to the separation of Clyde House 1 and 2 and demolition of part of the rotunda.

FW 17A/0205 relates to demolition of Clyde House 1 and provision of boundary treatment/planting works.

FW 18A/0032 refers to the permission for 3 no. data halls.

FW 19A/0176 refers to modification of the previously permitted data halls.

FW 20A/0087 is an application for revisions to the permitted data centre (reg. ref. FW18 A/0032 and FW19A/0176). On 30 July 2020 the planning authority requested further information in relation to revised massing and nature of the western elevation of Building 3, a diversion feasibility assessment regarding Irish Water assets, the potential for future export of waste heat and provision of public art. Based on my examination of the available website information on 21st September no response has been submitted to date. The proposed Building 3 is in the north-west corner of the site and is 24.8m in height and 96.9m long.

6.2. **Nearby substations**

Snugborough Substation was permitted under FW16A/0159 to serve a previously authorised data centre and was modified under FW/17A/0103.

Cloghran Substation was authorised under FW11A/0104 and modified under FW12A/0083.

The report of the Chief Executive of Fingal County Council contains further details of the planning history relating to the above substations.

7.0 Policy and Context

7.1. National Planning Framework

National Strategic Outcome 5 provides for a strong economy supported by enterprise, innovation and skills. Ireland is very attractive in terms of its digital connectivity, climate and renewable energy sector to provide for development of international digital infrastructures including data centres. This sector underpins Ireland's international position as a location for ICT. Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres is an objective.

National Policy Objective 73C relates to the timely delivery of enabling infrastructure to deliver planned growth and development.

7.2. Eastern and Midlands Regional Spatial and Economic Strategy 2019-2031

Regional Policy Objective 8.25 includes the requirement that local authorities support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres at appropriate locations.

RPO 10.20 relates to energy infrastructure including facilitating new transmission infrastructure projects. RPO 10.22 relates to supporting the reinforcement and strengthening of the electricity transmission and distribution network.

7.3. Fingal County Development Plan 2017 – 2023.

Strategic policy 18 is to secure the timely provision of infrastructure. Objective ED21 refers to supporting infrastructure including energy supply and is to ensure that zoned lands are serviced in a timely fashion. ED28 relates to ensuring that the economic potential of the ICT sector is secured.

Objective DMS19 is to require new utility structures such as electricity substations to be of high-quality design and to be maintained to a high standard.

The site is within an extensive area which is zoned HT, High Technology, the objective of which is 'to provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment'. Uses which are described as permitted in principle include 'Utility Installations'.

Objective ED110 is to proactively respond to the needs of enterprises undertaking particular activities that require bespoke building facilities to meet their specific manufacturing requirements – the list includes data centres.

The car parking policies set out do not set any standards for utility installations. There are a range of strategic cycle routes identified on the major roads in this area.

7.4. Environmental Impact Assessment

This development involving construction of a substation and underground powerline is not a class of development for which an EIA is required.

7.5. Natural Heritage Designations

The following European sites are in north and west county Dublin.

- Rye Water Valley / Carton SAC (001398)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- Malahide Estuary SPA (004025)
- Malahide Estuary SAC (000205)
- South Dublin Bay SAC (000210)
- North Bull Island SPA (004006)
- North Dublin Bay SAC (000206)
- Baldoyle Bay SAC (000199)
- Baldoyle Bay SPA (004016)

8.0 Assessment

The issues raised in the application fall under the following headings:

- Principal
- Visual Impact
- Impact on existing infrastructure
- Other Issues
- Appropriate Assessment.

8.1. Principal

- 8.1.1. The current application relates to a proposed substation and associated underground transmission lines. It will serve to connect a permitted data centre, which is a significant development located on a brownfield site in an established industrial area which is zoned for high technology uses.
- 8.1.2. The rationale for the development is presented by the applicant is the energy requirements of the permitted data centre and further that the substation and cabling will form part of the transmission network for the area. The proposal will therefore assist in meeting demand in the ICT sector and strengthen the network and improve the quality of supply for all users. The applicant refers to the policy basis for the development and also to the Government 2018 statement on the role of data centres in Ireland's enterprise strategy.
- 8.1.3. I have outlined above a number of national, regional and county policy provisions , which clearly provide support for the subject development. The development is suitably located on urban serviced lands in an industrial area and which are specifically zoned HT which is to provide for 'office, research and development and high technology /high technology manufacturing type employment'. The proposed development, which will support a permitted high technology use and is in itself acceptable in principle, is therefore in accordance with the development plan policies for this area.
- 8.1.4. I consider the substation and the associated grid connections to two nearby substations is essential enabling infrastructure, which on completion will enhance the

electricity transmission network and specifically support a permitted data centre, which is a type of development which is supported at national, regional and local policy levels. In principle the development is acceptable.

8.2. Visual Impact

- 8.2.1. Regarding the landscape and visual impact of the proposed development, the planning authority report highlights three issues, which relate to visual impact namely the design and boundary treatment of the development and the proposals for landscaping. I note that in the concurrent application to the planning authority for revisions to the permitted data centre, concerns have been raised in relation to part of the development (Building 3). That proposed building is separate in terms of its position and visual envelop from the subject substation.
- 8.2.2. The applicant's submission is that the **proposed two-storey substation building** height takes reference from and is similar to the existing data centre buildings and is significantly lower than the existing Clyde House 2 building to the north. The height and mass of the building derive largely from technical specifications. The proposed substation building would be a steel mono pitch portal frame structure which will be clad in horizontally laid composite panels. The architect's design statement refers to the utilisation of a Signal Black colour in order to provide a visual contrast with the predominantly lighter grey buildings in the area. The applicant's submission is that this will result in a contemporary, refined and paired back design.
- 8.2.3. The planning authority refers specifically to the scale, the length of elevations and the prominent nature of the site. It is the opinion of the planning authority that notwithstanding the technical specification requirements a building exhibiting greater visual interest and including more architectural detailing could be provided. Condition 3(a) has been recommended in this respect.
- 8.2.4. At the time of inspection, I noted that the design and finishes are similar to existing substation buildings in the area as seen from my photographs. In this respect I note the use of a deep grey / black colour finished panel laid on the horizontal and indeed associated with black painted palisade fencing at similar developments in this Business Park. The proposed development follows this approach.

- 8.2.5. Regarding the height and elevation length (up to 15m) I would not consider it reasonable to describe this development as being of significant scale. The mass and elevation lengths of existing buildings in the general area are far in excess of this scale.
- 8.2.6. Having considered the applicant's submissions including the drawings and the Architectural Planning Report and following site inspection, I consider that the simple contemporary building is acceptable in terms of its scale and treatment. I note the planning authority's comment that this site is prominent. I do not agree with this comment and note the position of the site towards the end of a cul de sac at an industrial estate road network. The site is not visible to the passing public. In my opinion the overall effect of the scheme would be acceptable and in keeping with the standard and specifications in the industrial estate.
- 8.2.7. Regarding the **proposals for landscaping** I consider that the nature of the development together with the site area limits what can reasonably be achieved. The applicant describes the proposal as providing screening to a large area of the plant, water tanks, pump stations at the rear of the site. The suggestion in relation to the specification of trees is that they would be agreed with Eirgrid and it is noted that they should not provide an aid to climbing and should not overhang the security fence. As such the applicant acknowledges that the trees surrounding the site compound will be smaller than those along the extent of the main boundary. I consider that the site layout provides sufficient lands for screen hedging which will be effective at eye level and if appropriately selected could add visual interest. I agree with the planning authority that it is appropriate that any landscape plan be agreed.
- 8.2.8. Regarding the objection of the planning authority to the installation of **palisade fencing** and its omission under the recommended condition 3(b), I note the presence of a well-maintained painted palisade fence at a nearby site. I consider that the proposal is acceptable in the context of the site and the nature of the development subject to it being painted and maintained.
- 8.2.9. I conclude that the project design and landscaping proposals are suitable and having regard to the small scale of the development will comply with the zoning requirement for 'a high quality built and landscaped environment'.

8.3. Impact on existing infrastructure

- 8.3.1. Irish Water has requested that further information be sought in relation to the separation between the proposed development and the existing utilities, to ensure that they are protected and accessible. The matter of future wayleaves is also identified. Irish Water notes that structures or works that may inhibit access for maintenance or affect the integrity of the infrastructure is not permitted. There will also be a requirement for separation distances in accordance with the Irish Water Codes of Practice and standard details.
- 8.3.2. The Civil and Structural Engineering Report notes that the road outside the site contains a number of existing services including water and that an existing foul line runs into the site. In the vicinity of the substation site are a watermain and a foul line on the southern and south-eastern boundaries. Smaller foul lines within the footprint of the development are to be decommissioned.
- 8.3.3. Section 1.3 of the Civil and Structural Engineering Report addresses the cable route. The trenches will be approximately 1250mm by 600mm deep and are to be positioned to avoid existing services where possible. Where this is not feasible the cables will drop below or pass over existing services depending on the depth. Condition 10 of the decision of the planning authority sets a requirement that the applicant liaise with the planning authority and Irish Water to establish the proximity of the proposed transmission lines to existing services. I consider that a condition referring the matter to the planning authority in the first instance is appropriate and sufficient to address any requirements and ensure the protection of infrastructure.

8.4. Other issues

- 8.4.1. The application details include an Archaeology Survey report. Based on that report it is evident that the **site of the listed archaeological monument RMP DU 013 – 014** and protected structure 0678 would not be directly affected by the proposed development. Furthermore, the setting of that monument has been significantly modified as it is now situated within the car park and is used as a roundabout. The report suggests that this mound may in fact be a modern feature. There has been quite a lot of archaeological investigation in the general area and a general paucity of archaeological features recovered. The sole recommendation of the report is that

construction work should ensure that the integrity of the mound will not be affected in any way and I consider that this can reasonably be achieved. Given the existence of this report which is part of the application documentation I consider that a specific planning condition is not required. I note that the planning authority recommendation does not include an archaeological condition.

- 8.4.2. The development is described as a **low risk industrial building under TGD B** of the Building Regulations. There is nothing to indicate any risk in terms of fire safety. In addition, I note that there are no residential dwelling houses in the immediate area, and I consider that the Business Park would be well served in terms of requirements for firefighting.
- 8.4.3. There will be a requirement for **traffic management** particularly relating to the cable laying phase of the development. The road network in the business park is suitable for large vehicles and contains good provision in addition for pedestrians. At the time of my inspection, which took place during normal trading hours there was very little evidence of significant levels of traffic. However, part of the route of the cable network will traverse a busy roundabout. The works involving the laying of cables is estimated to take 4-6 weeks and works will be done in 50m sections. I am satisfied that having regard to the small-scale nature of the works which are likely to be completed in a short duration and the nature of the existing road network, no significant congestion would arise.
- 8.4.4. The applicant has committed to reinstatement of the road. I consider that the cleanliness of the roads during construction can be addressed under a construction management plan.
- 8.4.5. Regarding **hours of construction** as recommended by the planning authority under condition 9, I consider that having regard to the lack of residential development in the vicinity of the works and the 24 hour operation of the industrial uses in the area, there is no need to regulate this matter.
- 8.4.6. In relation to the suitability of the **technical specification required by Eirgrid** for developments of this nature, I refer the Board to the letter of support which includes confirmation that the application would meet the required expectations. I note in addition that as part of the consultation discussions took place with ESB Networks.

- 8.4.7. The planning authority internal reports note the location of much of the development on private lands. The **need to demonstrate consent** to undertake the works is therefore identified. I note that the application documentation includes a letter of consent from both the IDA and Fingal County Council in relation to the making of the application. The applicant has demonstrated sufficient consent in this regard. I note in addition the specific reference by Irish Water in relation to wayleaves, which I do not consider is appropriate for a planning condition.
- 8.4.8. The application submissions include a **flood risk assessment** report which concludes that there is no risk of flooding from river, pluvial, estuarial or groundwater sources. The document references in this regard the relatively low level of the Tolka, the lack of catchment which could contribute to overland flow, the distance from the coast and topography and drainage proposals including the attenuation of storm water. In relation to the potential for flood risk at the site or arising from the development, I am satisfied that there are no such concerns.
- 8.4.9. There is stated to be **no history of illegal dumping or quarrying** at the site and nothing to indicate any concerns relating to contaminated lands. There is some fill on the site, stated to be from the demolition of the former building. A decision relating to the option of removal of some of this material or alternatively piling of the development has not yet been made. Regarding the specific requirements set out in the report of the Environment Section and recommended in condition 5 of the planning authority report, I recommend that this matter be addressed by a standard condition relating to agreement of a waste plan.
- 8.4.10. A **development contribution** under the section 48 scheme is appropriate. In addition, the planning authority report recommends that a bond be requested relating to the matter of road reinstatement. It would not be normal practice to require a bond in this instance and the planning authority has not identified any particular matters which would warrant such a measure.
- 8.4.11. Under condition 12 the planning authority recommends that a community gain fund be established to support an educational and awareness programme in respect of renewable energy and energy conservation to benefit the community and the general catchment area. While it is open to the Board to require establishment of such funds, it would be reasonable in my opinion that this be done only as a remedy for some

adverse impact. The subject development would not be associated with adverse effects. Any payments which would be made towards the cost of environmental, recreational or community facilities (the stated reason for condition 12) would more properly be included in the adopted Scheme in my opinion.

8.5. Appropriate Assessment

- 8.5.1. The application is accompanied by a Screening Assessment in support of Appropriate Assessment. The report focuses on the cable, which is of far more extensive area than the compact substation site. I consider that the information provided, the approach and conclusions of the report apply equally to the substation site. I am satisfied that the available information is sufficient to inform the Board's assessment and to enable firm conclusions to be drawn in relation to the proposed development.

Project Description and Site Characteristics

- 8.5.2. The site and the proposed development are as described earlier in this report and as further described in the application documentation. The brownfield nature of the site is pertinent. Regarding the characteristics of the project table 4.2.5 of the Screening Report is noted in terms of the construction phase. Regarding the operation phase the potential for impacts is related to the generation of wastewater from the substation.

8.5.3. Natura 2000 Sites, Qualifying Interests and Conservation Objectives

- 8.5.4. The Screening Report described Natura 2000 sites which are within 15km of the site and their qualifying interests. There are no Natura 2000 sites within the site of the proposed development, and none are in the immediate vicinity. The subject development is about 9km from the nearest Natura 2000 site, which is Rye Water Valley / Carton SAC. The other Natura sites in the area are between 10km and 15km from the site of the proposed development.

- 8.5.5. I have compiled a table which lists the relevant Natura sites, their conservation interests, location relative to the proposed development and the potential pathways between the proposed development and the Natura sites.

8.5.6. Having regard to the characteristics of the site, the nature of the development and the relatively small scale of the works I consider that the likelihood of significant effects relates only to water quality effects. The proposed development is located in the sub-catchment Tolka_SC_020, which is within the Liffey and Dublin Bay catchment. Within 50m of the cable route is Ballycoolen stream and Abbottstown Stream both of which drain away from the cable route before joining the Tolka. The Tolka flows for 14km before entering Dublin Bay.

8.5.7. I note that the identification of potential impacts as per the Screening Report also references emissions to air and lands and other requirements. I consider that these categories of emissions can be ruled out in the first instance in view of the scale and nature of the development and its location relative to Natura sites.

8.5.8.

8.5.9. **Conservation Objectives and Pathways.**

Site Name and Site Code	Conservation Objectives and Qualifying Interests (Habitats and Species)	Location / distance to European site and Potential Pathways
Rye Water Valley / Carton SAC (001398)	<p>Conservation Objectives</p> <p>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.</p> <p>Qualifying interests</p> <p>Petrifying springs with tufa formation (Cratoneurion)</p> <p>Vertigo angustior (Narrow-mouthed Whorl Snail)</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail)</p>	<p>Project site is 9.4km northeast of SAC.</p> <p>There is no pathway between the project and the SAC.</p>
Baldoyle Bay SAC (000199)	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of the qualifying interests in Baldoyle Bay SAC, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p>	<p>Project site is 14.1 km west of the SAC.</p> <p>Hydrological pathway.</p>

	<p>Mudflats and sandflats not covered by seawater at low tide</p> <p>Salicornia and other annuals colonising mud and sand</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p>	
<p>Baldoyle Bay SPA (004016)</p>	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of the waterbird population and wetland habitat in Baldoyle Bay SPA, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</p> <p>Shelduck (<i>Tadorna tadorna</i>)</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>)</p> <p>Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>Grey Plover (<i>Pluvialis squatarola</i>)</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>Wetlands</p>	<p>Project site is 14.6km west of SPA.</p> <p>Hydrological pathway.</p>
<p>North Bull Island SPA (004006)</p>	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of the bird species listed as SCIs, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p> <p>Brent Goose (<i>Branta bernicla hrota</i>)</p> <p>Shelduck (<i>Tadorna tadorna</i>)</p> <p>Teal (<i>Anas crecca</i>)</p> <p>Pintail (<i>Anas acuta</i>)</p> <p>Shoveler (<i>Anas clypeata</i>)</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>Grey Plover (<i>Pluvialis squatarola</i>)</p> <p>Knot (<i>Calidris canutus</i>)</p> <p>Sanderling (<i>Calidris alba</i>)</p>	<p>Project site is 12.8 km northwest of SPA.</p> <p>Hydrological pathway</p>

	<p>Dunlin (<i>Calidris alpina alpina</i>)</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>)</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>Curlew (<i>Numenius arquata</i>)</p> <p>Redshank (<i>Tringa totanus</i>)</p> <p>Turnstone (<i>Arenaria interpres</i>)</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>)</p> <p>Wetlands</p>	
<p>North Bull Island SAC / North Dublin Bay SAC (000206)</p>	<p>Conservation Objectives</p> <p>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.</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p><i>Petalophyllum ralfsii</i> (Petalwort) [1395]</p>	<p>Project site is 12.8km northwest of SAC.</p> <p>Hydrological pathway.</p>
<p>Malahide Estuary SPA (004025)</p>	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of the bird species listed as SCIs, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p> <p>Great Crested Grebe (<i>Podiceps cristatus</i>)</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</p>	<p>Project site is 12km southwest of SPA.</p> <p>Hydrological pathway.</p>

	<p>Shelduck (<i>Tadorna tadorna</i>)</p> <p>Pintail (<i>Anas acuta</i>)</p> <p>Goldeneye (<i>Bucephala clangula</i>)</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>)</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>Grey Plover (<i>Pluvialis squatarola</i>)</p> <p>Knot (<i>Calidris canutus</i>)</p> <p>Dunlin (<i>Calidris alpina</i>)</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>)</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>Redshank (<i>Tringa totanus</i>)</p> <p>Wetlands</p>	
<p>Malahide Estuary SAC (000205)</p>	<p>Conservation Objectives</p> <p>To maintain or restore the favourable conservation condition of the qualifying interests which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p> <p>Mudflats and sandflats not covered by seawater at low tide</p> <p>Salicornia and other annuals colonising mud and sand</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes)</p>	<p>Project site is 11.9km southwest of SAC.</p> <p>Hydrological pathway.</p>
<p>South Dublin Bay and River Tolka Estuary</p>	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of waterbird population and wetland habitat in South Dublin Bay and River Tolka Estuary SPA, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p>	<p>Project site is 10.3km northwest of SPA.</p> <p>Hydrological pathway.</p>

SPA (004024)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Oystercatcher (<i>Haematopus ostralegus</i>) Ringed Plover (<i>Charadrius hiaticula</i>) Grey Plover (<i>Pluvialis squatarola</i>) – proposed for removal Knot (<i>Calidris canutus</i>) Sanderling (<i>Calidris alba</i>) Dunlin (<i>Calidris alpina</i>) Bar-tailed Godwit (<i>Limosa lapponica</i>) Redshank (<i>Tringa totanus</i>) Black-headed Gull (<i>Chroicocephalus ridibundus</i>) Roseate Tern (<i>Sterna dougallii</i>) Common Tern (<i>Sterna hirundo</i>) Arctic Tern (<i>Sterna paradisaea</i>) Wetland	
South Dublin Bay SAC (000210)	<p>Conservation Objectives</p> <p>To maintain the favourable conservation condition of the qualifying interest, which is defined by a list of attributes and targets.</p> <p>Qualifying interests</p> <p>Mudflats and sandflats not covered by seawater at low tide</p>	<p>Project site is 12.3 km northwest of SAC.</p> <p>Hydrological pathway.</p>

8.5.10. As noted above there is a potential pathway between the proposed development and all of the Natura sites in the above table with the exception of Rye Water Valley / Carton SAC. Furthermore, in relation to Malahide Estuary SAC, Malahide Estuary SPA, Baldoyle Bay SAC and Baldoyle Bay SPA these sites are at a considerable distance and are separated from the subject site by transitional and / or marine waters. The potential for significant impacts can therefore be eliminated in relation to all of these Natura sites.

8.5.11. There is potential for construction phase water quality impacts due to spillages and run-off and in the operation phase due to the generation of treated wastewater, which could give rise to significant impacts on the remaining Natura sites South

Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA.

- 8.5.12. The proposed development will not involve instream works. The work at the substation site is not close to any stream and the hydrological pathway referenced in the table above is limited to the pathway to the wastewater treatment plant. The potential for construction phase impacts on the Natura sites as a result of the construction of the substation can therefore be eliminated.
- 8.5.13. The cable laying will be undertaken in small sections of 50m. Volumes of sedimentation arising would not be high. No uncontrolled emissions of sediment and fines to water would be anticipated in the 4-6-week construction period. The application of standard procedures in relation to the storage and handling of fuels will ensure that there is no likelihood of significant effects. These procedures would be applied in all developments and are not proposed in this instance as a measure to mitigated effects on a Natura site.
- 8.5.14. The contribution of the substation to the wastewater treatment plant in the operation phase would be minimal in the scale of the city and would not lead to significant effects on any Natura site.
- 8.5.15. It may be concluded that the development in the construction and operation phase would not give rise to significant impacts on any Natura site.
- 8.5.16. Having regard to the nature and scale of the proposed development, the nature of the receiving environment, the likely emissions arising from the proposed development, the availability of modern sewerage infrastructure in the area, and distance to the nearest European sites, I am satisfied that no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.
- 8.5.17. In terms of cumulative effects, I have regard to the permitted data centre development at the adjacent site.

Screening Statement and Conclusions

- 8.5.18. It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed

development, individually or in combination with other plans or projects would not be likely to have a significant effect on European sites nos. 001398, 004024, 000205, 004025, 000210, 004006, 000206, 000199, 004016 in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.5.19. In reaching this conclusion, I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

9.0 Recommendation

In view of the foregoing I recommend approval for the above described development subject to the following reasons and considerations and conditions. I have set out my recommendation in the form of a draft order.

10.0 Reasons and Considerations

Having regard to:

- (a) The National Planning Framework – Ireland 2040,
- (b) The Regional Spatial & Economic Strategy for the Eastern & Midlands Region (2019),
- (c) The policies of the planning authority as set out in the Fingal County Development Plan 2017-2023,
- (d) The location of the site in an established business park
- (e) The need for the development to serve a permitted data centre,
- (f) The nature, scale and extent of the proposed development,
- (g) The submissions on file including those from prescribed bodies and the Planning Authority,
- (h) The documentation submitted with the application, including the Appropriate Assessment Screening Statement and the Planning Report, and
- (i) The report of the Planning Inspector,

The Board considered that subject to compliance with the conditions set out below the proposed development would accord with national, regional and local

planning policy, would not have an unacceptable impact on the landscape or ecology, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed development, the documentation on file, in particular the Appropriate Assessment Screening Report submitted in support of the proposed development, the submissions on file and the assessment of the Inspector in relation to the potential for effects on European Sites.

In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector. The Board concluded that, by itself and in combination with other development in the vicinity, the proposed development would not be likely to have significant effects on any European Site in view of the sites' Conservation Objectives. In reaching this conclusion, the Board took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the 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.

Reason: In the interest of clarity.

2. The detailed design of the cable route shall be submitted for the written agreement of and comply with the requirements of the planning authority.

Reason: In the interest of ensuring adequate separation between the cable trenches and existing infrastructure and to maintain the integrity of the existing infrastructure.

3. The developer shall comply with the following requirements:

(a) Landscaping of the substation site shall be in accordance with a Landscape Plan, which shall be submitted for the written agreement of the planning authority prior to the commencement of development.

(b) Site fencing shall be painted and maintained in good condition.

Reason: In the interest of clarity and visual amenity.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority.

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

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

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

6. 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 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 An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Mairead Kenny

Senior Planning Inspector

23rd September 2020