



An  
Bord  
Pleanála

## Inspector's Report ABP-308130-20

---

<b>Development</b>	220kV substation with 2 x underground transmission cables & associated works.
<b>Location</b>	Bracetown, Gunnocks, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Applicant(s)</b>	Engine Node Ltd.
<b>Type of Application</b>	Permission
<b>Type of Case</b>	SID
<b>Observer(s)</b>	Meath County Council Fingal County Council Inland Fisheries Ireland Geological Survey Ireland Transport Infrastructure Ireland Runways Information Service Ltd. Drummonds Ireland Mannix & Sheila Coyne
<b>Date of Site Inspection</b>	19 <sup>th</sup> March 2021

## 1.0 Site Location and Description

- 1.1. The appeal site is located at Bracetown and Gunnocks to the N of Clonee in County Meath. The surrounding area is characterised by a mix of commercial, warehouse and agricultural uses, and there are several dispersed houses and farm buildings in the vicinity. The lands form part of a larger area that has been designated for light industrial, warehouse and commercial uses, and there are several similar uses permitted and/or under construction in the locality. This includes the RISL Runways/Facebook data centre to the S of the site.
- 1.2. The site is located to the E of the M3 and NE of Junction 4, E of the R147 (Navan Road) and S of the L-1010 (Bracetown Road). It is bound to the N and NE by the concurrently proposed data storage facility with Bracetown Business Park and The Hub Logistics Park beyond. There are 2 x dwelling houses with outbuildings located to the immediate SW of the site along the R147.
- 1.3. The overall low-lying c.24.5ha site (data centre & substation) comprises a series of agricultural fields. The site boundaries are mainly defined by hedgerows, trees and fences, and the lands are traversed by a series drainage ditches that flow in a southerly direction towards the Pinkeen River and ultimately The Tolka River.
- 1.4. Photographs and maps on the case file describe the site and surroundings in detail.

## 2.0 Proposed Development

- 2.1. This SID application (under Section 182A) relates to the provision of electricity infrastructure within the site of the proposed Engine Node Data Centre facility which is concurrently under consideration by the Board under ABP-307546-20.
- 2.2. The proposed development would comprise:
  - A 220kV gas insulated switchgear (GIS) substation comprising: -
    - 4 x transformers
    - Client control building (c.637sq.m.)
    - 2-storey substation building (c.2,430sq.m.)
    - Perimeter fencing (c.2.6m high)

- An underground double circuit 220kV transmission line to the existing 220kV overhead transmission lines to the N comprising a connection to: -
  - Corduff-Woodland overhead line c.2km N
  - Gunnock-Corduff overhead line c.1.7km N
- Cable overhead interface compound with c.21m high towers.
- Rural supply (75kVA) underground cable comprising a looped MV circuit.
- Construction access off the R147 to W.
- All ancillary site works.

The application was accompanied by the following documents:

- EIAR (including Non-Technical Summary & AA Screening report)
- Outline Construction & Environment Management Plan
- Engineering Planning Report (Drainage & Water Services)
- Engineering & Architectural drawings

## 3.0 Observers

### 3.1. Prescribed Bodies

#### ***Inland Fisheries Ireland:***

- Located within River Pinkeen & Tolka catchment, and salmonoid waters constraints should apply.
- Works should ensure protection of water quality & aquatic ecology and comply with IFI policies & relevant regulations.
- Cable laying across waterbodies should prevent deleterious discharges.

#### ***Transport Infrastructure Ireland:***

- Cables to be laid along the R147 close to M3-J5.
- Function & safety of road network should be maintained during works.
- Transmission lines will be routed via the E roundabout at Pace at the R147/R157 junction (M3-J5), which forms part of the M3 PPP Scheme.

- Any third party seeking to gain access to the M3 PPP Scheme area to undertake works will need to consult with the M3 PPP Company in the interests of traffic safety, management & phasing of works.
- Work Specific Indemnities, S.53 Applications, arrangements for 3<sup>rd</sup> party access, and other approvals may also be required.
- Prior to works, liaison with TII, MCC & Eurolink Motorways Operations (M3) Ltd, & the M3 PPP Scheme Company is required.

***Geological Survey of Ireland:***

- No objections or specific comments.
- Note reference to various GIS databases.

***Fingal County Council:***

- Transmission lines cross several tributaries of the Pinken Stream that flows into the River Tolka.
- Note surface water proposals indicate that catchments will be attenuated before discharging to the watercourse along the S site boundary, which appears to discharge to the Pinkeen Stream.
- CEMP required to ensure surface water protection during construction.

**3.2. Planning Authority Report**

The Meath County Council report stated that it had no objection to the proposed development. It raised concerns in relation to biodiversity (bats & badgers), the road layout & access to 3<sup>rd</sup> party lands, compliance with CER OBJ 3 for the overall E2/E3 zoned lands, and consultations with DAA. Recommended conditions relate to biodiversity, landscaping, road layout & access, construction & traffic management, aviation, archaeology, and surface water management.

### 3.3. Public submissions

#### ***Drummonds Limited:***

- Agricultural merchant business on N side of Bracetown Road which serves the NE region, and is particularly busy during harvest time.
- Adverse impacts of works on business, customers & suppliers in terms of possible road closures & disruption on access routes which could in turn adversely affect crops & livestock.
- Adverse impact or disruption to Broadband.

#### ***Runways Information Service Ltd:***

- Access arrangements via third party lands.
- Refer to sections 6.8 & 6.9 of R307546 in respect of concerns raised in relation to the proposed data centre concurrently under consideration under ABP-307546-20.

#### ***Mannix & Sheila Coyne:***

- Ongoing High Court proceedings (2020/235MCA) in relation to unauthorised commencement of the works under ABP-307546-20 which has still to be determined by ABP (incl. damage to a badger sett)
- Project slitting (separate S.34 data centre & S.182 SID applications).
- Query how ABP can undertake EIA & AA for 2 separate projects, one of which contains a Stage 1 AA Screening & the other Stage 2 NIS.
- Invalid application as inadequate details of legal interest provided for the transmission route as the lands are owned by several parties, and not just MCC & Ward family (including parts of the L-1010).
- Adverse EIA impacts on population & human health.
- Adverse impacts on residential amenity & equestrian facility, biodiversity (incl. unauthorised damage to a badger sett).
- Refer to section 6.1 of R307546 in respect of similar concerns (incl. energy demand & climate change) raised in relation to the proposed data centre concurrently under consideration under ABP-307546-20.

### 3.4. Applicant's response to Observers

The Board decided that an Oral Hearing was not required, the submissions were circulated to the applicant for comment, and the response is summarised below.

#### ***Inland Fisheries Ireland:***

- EIAR & oCEMP set out mitigation measures for the proposed works.
- Willing to accept condition to comply with IFI requirements.

#### ***Transport Infrastructure Ireland:***

- Note TII concerns raised and welcome positive & active engagement.

#### ***Geological Survey Ireland:***

- Note lack of objection.

#### ***Meath County Council:***

- Note lack of objection.
- Transportation issues should be addressed as per ABP-307546-20.

#### ***Fingal County Council:***

- Note lack of objection.
- Surface water management concerns can be addressed by condition.
- Construction traffic concerns can be addressed by condition.

#### ***Drummonds Limited:***

- Traffic management will operate for the duration of works to the public road, subject to a TMP agreed with the PA.
- The TMP will ensure that access to maintained at all times.
- No interruption to Broadband anticipated during construction.

#### ***Runways Information Service Ltd:***

- No works have been proposed on RISL lands.
- Updated Master Plan forms part of ABP-307546-20 and provides indicative future road & access arrangements to site & 3<sup>rd</sup> party lands.
- Will accept MCC Condition no.4 in relation to transportation & access.
- Proposed to omit energy centre under ABP-307546-20.
- The energy centre was never intended to power the early stages of the data centre development, it will be served by the proposed substation & transmission lines via the national grid.

***Mannix & Sheila Coyne:***

- Works have not commenced under ABP-307546-20.
- HC proceedings are misconceived, erroneous & without foundation.
- The MCC agreed & DoE licenced archaeological field investigations have been taken to mean construction works.
- No unauthorised works or MCC enforcement or JR proceedings.
  
- Correct S.34 & S.182A application procedures have been followed.
- The lodgement of 2 separate applications complies with correct application procedures, and no project splitting has occurred.
- Both projects are accompanied by EIARs and Stage 1 AA Screening, which assess the cumulative and in-combination impacts/effects of each other and surrounding projects.
- Both projects are now before the Board for EIA & AA consideration.
  
- Valid application, letters of consent submitted from affected landowners, including MCC which has control of lands within public road.
- Consent of landowners abutting the public road is not required as per Article 22(2) (g) of the P&D Regs (enacted after application lodged).
- Applicant also had the benefit of the provisions of relevant electricity legislation giving statutory/utility providers the right to carry out works to provide utility services (once permission is in place for such works).
  
- An AA Screening Report was submitted with both applications which both concluded that a Stage 2 NIS was not required.
  
- The badger sett has not been removed or damaged, it occupies a different location to that referenced, works were carried out by the landowner before the archaeological investigations were undertaken, and badger sett was not damaged and remains fully intact & active.
  
- All other concerns in relation to the data centre been addressed under ABP-307546-20.

## 4.0 Planning History

### Appeal site:

**ABP-307546-20:** concurrent planning appeal for the development of a data centre facility by the same applicant (Engine Node Ltd.).

**ABP-305657-19:** ABP determined that development of a substation & associated grid connection at Bracetown, Gunnocks, is a strategic infrastructure development.

### Surrounding area:

Refer to section 4.0 of R307546 in relation to the proposed data centre concurrently under consideration by the Board (ABP-307546-20) for planning history details in the surrounding area.

## 5.0 Policy and Context

### 5.1. National and Regional policy context

Refer to section 5.1 of R307546 in relation to the proposed data centre concurrently under consideration by the Board (ABP-307546-20) for a summary of the following relevant policy documents.

- Climate Action Plan 2019
- National Planning Framework – Ireland 2040 (2018)
- RSES for the Eastern & Midlands Region (2019)
- Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, June 2018
- The Planning System and Flood Risk Management, 2009



## 5.2. Local Policy

### **Meath County Development Plan 2013-2019**

Refer to section 5.2 of R307546 in relation to the proposed data centre concurrently under consideration by the Board (ABP-307546-20) for a summary of the relevant policies and objectives contained in the current MCC Development Plan, the most pertinent of which are summarised below.

**Zoning objectives:** The overall lands are covered by the E2/E3 zoning objective.

**E2:** seek to provide for the creation of enterprise and facilitate opportunities for employment through industrial, manufacturing, distribution, warehousing and other general employment / enterprise uses in a good quality physical environment (Energy Installations are permissible). The site is identified as an area subject to an Integrated Local Area Plan/ Masterplan within the zoning map.

**E3:** seeks to facilitate logistics, warehousing, distribution and supply chain management inclusive of related industry facilities which require good access to the major road network (Energy Installations are permissible).

**CER OBJ 3:** seeks to facilitate the development of lands between Portan, Clonee and Bracetown for E2 & E3 uses, a Master Plan & Roads Needs Assessment are required, and development is contingent on the phased delivery of a distributor road.

## 5.3. Natural Heritage Designations

The following European site is located within the Zone of Influence (c.15km):

- Rye Water Valley/Carton SAC

## 6.0 Planning Assessment

**This assessment should be considered in conjunction with Section 7.0 of R307546 for the proposed data centre under ABP-307546-20.**

The main issues arising are as follows:

- Principle of development
- Design & layout
- Residential amenity
- Movement & access
- Flood risk & drainage
- Biodiversity
- Other issues
- Screening for AA

Section 7.0 contains an Environmental Impact Assessment.

### 6.1. Principle of development

The proposed development would comprise the construction of a 220kV Gas Insulated Switchgear (GIS) substation along with an underground double circuit 220kV transmission link to two existing substations to the N. The proposed electrical infrastructure would operate in conjunction with the proposed data centre storage facility on the overall lands. This facility would comprise 4 x buildings (and ancillary structures) that was granted permission by the Fingal County Council (RA191593), and is now before the Board on appeal (ABP-307546-20). The data centre development does not include a substation or transmission lines.

The proposed development would comply with national and regional policy as set out in National Planning Framework - Ireland 2040 and the Regional Spatial & Economic Strategy, the Eastern & Midlands Region, 2019 which seek to support the

development of ICT infrastructure, including the provision of data centres and electricity infrastructure at appropriate locations.

The proposed substation and underground double circuit 220kV transmission line would be located on lands that are covered by the extensive E2/E3 zoning objective in the County Meath Development Plan which seeks to provide for employment and warehousing uses. The remaining section of the 220kV transmission lines would be located under agricultural lands and the public road network to the N (incl. M3 junctions, R147 & L-1010). Energy Installations are permitted in principle within both the E2 and E3 zones and the proposed development would comply with these objectives. The proposal would also comply with several Development Plan objectives which seek to respond to the needs of enterprises activities and the provision of electricity infrastructure.

Refer to Section 7.1.1 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of compliance with national, regional and local polices.

Having regard to the foregoing, I am satisfied that the proposed development, which would operate in conjunction with a proposed data storage facility would comply with relevant national, regional and local planning policy, is acceptable in principle.

## 6.2. **Design and layout**

The proposed development would be located within a transitioning rural area that is characterised by mix of agricultural, light industrial, commercial, warehousing, pharmaceutical, data storage and residential uses. The site and surrounding lands are not covered by any sensitive landscape or scenic amenity designations and there are no protected views or prospects in the vicinity. The site boundaries are defined by a mix of hedgerows, trees and fences and the overall lands are low-lying and relatively flat with a gentle slope from N to S.

The proposed substation would be located in the SW corner of the overall lands, to the E of the R147 and two nearby dwelling houses. It would be located to the S and W of the 4 proposed data centre buildings which would have a “dogs’ leg” shaped

layout. The proposed transmission lines would run underground. The Bracetown Business Centre is located to the NE, The Hub Logistics Park is located to the N, and the Runways/Facebook data storage facility is located to the far S. There are industrial, warehousing and pharmaceutical buildings to the far N and S, and several dispersed houses to the NE and SW.

The application was accompanied by a Landscape Assessment and Photomontages (EIAR chapter 11). The report described the receiving environment and the character of the surrounding area. It assessed potential visual impacts from several viewpoints that encompass sensitive receptors (incl. the surrounding road network, residential areas, community buildings & rural areas). The study also included an assessment of cumulative impacts in-combination with the proposed data and concluded that the substation would not give rise to any significant visual impacts.

Refer to Section 7.1.2 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of visual impact.

Having regard to my inspection of the site and surrounding area, and taking account of the scale, height and layout of the proposed substation on lands that are zoned for E2/E3 uses along with its' position within the overall data centre site, and the screening properties of the perimeter landscaped berms (under ABP-307546-20), along with the undergrounding of the transmission lines, I am satisfied that the proposed substation and associated transmission infrastructure would not have an adverse impact on the visual or amenities of the area.

### **6.3. Residential amenity**

The concerns raised by Mannix and Amy Coyne in relation to adverse impacts on residential amenity area noted and addressed below.

There are two detached houses located along the R147 (Navan Road) to the W which would not be overlooked or overshadowed by the proposed substation because of the substantial separation distances which would be in excess of 100m. As previously stated in section 6.2 above, the proposed substation development would not be visually obtrusive or overbearing having regard to its scale, height and location, and the presence of landscaped berms around the site boundaries (under

ABP-307546-20). The proposed development would not seriously injure the residential amenities of any houses in the vicinity.

Refer to Section 7.1.3 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of residential impacts.

#### **6.4. Movement & access**

The concerns raised by Transport Infrastructure Ireland, Meath County Council, Runways Information Services Ltd. and Drummonds Ltd. are noted and addressed below.

The application was accompanied by a traffic & transportation assessment (EIAR chapter 13) which described the existing traffic environment (road network, public transport services, traffic volumes and car parking provision) along with other developments in the surrounding area (existing & proposed). The report dealt with the construction and operational phases of the proposed development. It estimated future growth and trip generation rates and predicted that the impact of the proposed substation on the national and local road network, in combination with the permitted data centre and other developments on the area, would be short term during the construction phase and imperceptible in the operational phase. Having regard to the scale and nature of the proposed development and the character of the surrounding road network (which has adequate spare capacity to accommodate additional traffic volumes), I am satisfied that the proposed development would not give rise to excessive traffic generation along the road network during either the construction or operational phase.

Vehicular access to the site would be off the R147 to the W during the construction phase and afterwards from the future major distributor road to the SE (Bracetown Link Road). The concerns raised by Meath County Council and Runways/Facebook in relation to access across and to third party lands are noted. Refer to Section 7.1.4 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of transportation impacts and vehicular access requirements. All of the relevant transportation conditions under ABP-307546-20 should be attached to any grant of planning permission for the substation.

The concerns raised by Transport Infrastructure Ireland in relation to the need to engage with the relevant road authorities is noted and could be addressed by way of a planning condition. The concerns raised by Drummonds Ltd. in relation to the need to maintain access to their agricultural business, particularly during the harvest season area noted. This could be addressed by way of a Traffic Management Plan to be agreed with the planning authority as part of the CEMP.

Having regard to the foregoing, I am satisfied that the proposed development, taken in combination with the proposed data centre and other existing and permitted development in the surrounding area, would not give rise to a traffic hazard or endanger the safety of other road users.

#### **6.5. Flood risk and drainage**

The concerns raised by Inland Fisheries Ireland, Fingal County Council and Meath County Council are noted and addressed below.

The site (incl. substation, transmission lines & pylons) and the surrounding area is drained by the Pace Stream and Pinkeen River which ultimately discharge to the River Tolka. Although sections of the proposed 220kV transmission lines would cross some watercourses, this would be via existing crossings and no further works are required. The application was accompanied by an Engineering Planning Report (Drainage & Water Services) and an outline Construction and Environmental Management Plan.

A Site-Specific Flood Risk Assessment was not Provided for the substation, as the applicant submits that the Strategic Flood Risk Assessment (SFRA) developed as part of the current Development Plan indicates that the site is not at risk of any fluvial, pluvial or coastal flooding event. The concurrent data centre appeal under ABP-307546-20 was accompanied by a detailed Site-Specific Flood Risk Assessment, which undertook a detailed examination of flood risk impacts. This report concluded that the proposed data centre (and substation) is located within Flood Zone C where there is a low probability of fluvial flooding (even when Climate Change is factored into the equation). Refer to section 7.1.5 of R307546 for a more detailed assessment of flood risk impacts. I am satisfied that the proposed

development would not give rise to a flood risk subject to the implementation of surface water management arrangements.

The Engineering Planning Report described the surface and foul water drainage and water supply elements of the proposed development. It stated that the substation and data centre would be connected to the existing water supply and foul sewer arrangements along the R147 (via pumping stations). Surface water discharge during the construction phase of the substation and transmission line excavations would be managed by a sediment management plan. There would be no significant discharge during the operational phase. The proposed arrangements are acceptable.

The measures contained in the outline CEMP, which include the management of sediment laden water and accidental spillages during the construction phase, would protect water quality in nearby watercourses and the integrity of the Pace Stream and Pinkeen River, and hence the River Tolka. The arrangements are acceptable subject to compliance with EIAR mitigation measures and adherence to the agreed CEMP and best construction practices.

The concerns raised by Inland Fisheries Ireland, Fingal County Council and Meath County Council in relation to the protection of water quality and aquatic ecology are noted. These concerns would be addressed in the implementation of the mitigation measures contained in the EIAR and outline Construction and Environmental Management Plan, and adherence to best construction practice.

Refer to Section 7.1.5 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed description of the drainage arrangements and assessment of drainage and flood risk impacts. All relevant conditions should be attached to any grant of planning permission for the substation.

## 6.6. **Biodiversity**

The concerns raised by Mannix and Amy Coyne in relation to biodiversity in general and badgers in particular are noted and are addressed below.

The site comprises lands that are in agricultural use and the field boundaries are defined by hedgerows, trees, and ditches. The area has potential for foraging and nesting birds and foraging bats, and there is a badger sett nearby in the vicinity of the S site boundary.

Vegetation clearance should not take place during the bird nesting season. Preconstruction seasonal surveys should be undertaken for bats and in the event that bat roosts are discovered on site then a derogation licence should be obtained from the NPWS for their controlled relocation to a similar suitable habitat. A 30m cordon should be installed around the entrance to the badger sett to ensure protection during the construction phase and this area should be kept free of artificial lighting. Other mammals (including birds, foxes, hares & rabbits) would be disturbed and displaced during the construction works, however it is likely they would return to the site when the works are completed. In which case fencing panels should be erected in such a manner so as allow wildlife to traverse the site. These concerns could be addressed a planning condition.

It is possible that the site may be hydrologically connected to some nearby designated sites, or that is of value to mobile species at any such sites. This concern will be addressed in section 6.8 below (Screening for AA).

Refer to Section 7.1.6 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of biodiversity impacts. Relevant conditions should be attached to any grant of planning permission for the substation.

#### 6.7. **Other issues**

**Archaeology:** There may be potential for undiscovered archaeological artefacts within the site and an archaeological monitoring condition should be attached.

**Aviation:** The concerns raised by Meath County Council in relation to the need to consult with DAA are noted in respect of airport noise. Refer to Section 7.1.7 of R307546 in respect of the concurrent data centre appeal under ABP-307546-20 for a more detailed assessment of aviation impacts. All relevant aviation conditions should be attached to any grant of planning permission for the substation.

**Built heritage:** The closest feature is Gunnocks House to the SW which would not be affected by the proposed development in terms of its character or setting.

**Conditions:** The various conditions recommended by Meath County Council should be attached as appropriate.



**Cumulative impacts:** The concerns raised by Mannix and Amy Coyne in relation to the consideration and assessment (EIA & AA) of the separate data centre and substation applications are noted, however this is the planning framework within these types of development must be considered (S.34 & S182A). I am satisfied that that the assessment of cumulative impacts in-combination with each other, and other plans and projects in the surrounding area is appropriate.

**Energy demand:** The concerns raised by Mannix and Amy Coyne in relation to the energy demands of data centres relative to Government commitments under the Paris Agreement and related legislation are noted, however the proposal relates to the transmission of energy as opposed its generation or usage.

**Legal matters:** The concerns raised by Mannix and Amy Coyne in relation to sufficient legal interest in respect of the proposed works (incl. underground transmission lines) are noted, as is the applicant's response. This response referenced the electrical utility nature of the works and Article 22(2) (g) of the Planning and Development Regulations. Consideration of other legal matters raised in relation to a concurrent High Court Case are outside the Board's remit.

**Construction works:** The proposed works would be carried out in association with the development of the proposed data centre on the overall lands and the works would be carried out on a phased basis and in accordance with the submitted outline Construction Methodology and Environmental Management Plan.

**Financial contributions:** No Section 48 or 49 contributions required.

## 6.8 Screening for Appropriate Assessment

### The AA Screening Report

This report described the site and the proposed development, and it utilised the results of the EIAR desk studies and field surveys. The AA Screening report confirmed that the proposed development would not be located within any European site. Table 1 of the report stated that there are 5 x European sites located within a 15km radius of the proposed works, although it also states 4 of the sites are located between c.18km and 22km away. The report screened out all 5 of these sites and concluded that they would not be affected by the proposed development because of the substantial separation distances and the absence of any direct connections to the European sites.

### AA Screening Assessment

The proposed development would not be located within an area covered by a European site designation and it is not relevant to the maintenance of any such European site. There are 5 x European sites located within a c.22km radius of the proposed development and 1 x site located within the Zone of Influence and 15km radius site. The Qualifying Interests and approximate straight line separation distances from the site boundary to these European sites are listed below.

European sites	Qualifying Interests	Distance
Rye Water Valley/Carton SAC	Petrifying springs with tufa formation Narrow-mouthed Whorl Snail Desmoulin's Whorl Snail.	c.7.0km
South Dublin Bay & River Tolka Estuary SPA	Light-bellied Brent & Oystercatcher Ringed Plover, Grey Plover & Knot Sanderling, Dunlin & Bar-tailed Godwit Redshank & Black-headed Gull Roseate Tern, Common Tern & Arctic Tern Wetland and Waterbirds	c.17km
North Dublin Bay SAC	Mudflats & sandflats Annual vegetation of drift lines Salicornia & other annuals (mud & sand)	c.19km

	Atlantic & Mediterranean salt meadows Embryonic shifting dunes Shifting (white) & Fixed grey dunes Humid dune slacks & Petalwort	
South Dublin Bay SAC	Mudflats and sandflats Annual vegetation of drift lines Salicornia & other annuals (mud & sand) Embryonic shifting dunes	c.22km
North Bull Island SPA	Light-bellied Brent Goose Shelduck, Teal, Pintail & Shoveler Oystercatcher, Golden Plover & Grey Plover Knot, Sanderling & Dunlin Black-tailed Godwit & Bar-tailed Godwit Curlew, Redshank & Turnstone Black-headed Gull, Wetland and Waterbirds	c.22km

**Conservation Objectives:**

- To maintain or restore the favourable conservation condition of the Annex 1 habitat(s) and/or the Annex 11 species for which the SACs have been selected (Rye Water Valley/Carton SAC, North Dublin Bay SAC & South Dublin Bay SAC).
- To maintain the favourable conservation condition of the species and habitats in North Bull Island SPA (South Dublin Bay & River Tolka Estuary SPA & North Bull Island SPA).

**Likely significant effects:**

- **Rye Water Valley/Carton SAC:** This SAC is located between Leixlip and Maynooth and extends along the Rye Water, a tributary of the River Liffey. Having regard to the characteristics of the agricultural site and the surrounding lands which are being redeveloped for commercial uses, the substantial separation distance between the proposed development and this European site (c.7.0km), the nature of the Qualifying Interests the site, and the absence of a downstream aquatic connection with this site, it is highly

unlikely that the proposed development would have an adverse effect on the Rye Water Valley/Carton SAC or its Conservation Objectives.

- **Dublin Bay SACs & SPAs:** The boundaries of these European sites (South Dublin Bay & River Tolka Estuary SPA, Bull Island SPA, North Dublin Bay SAC & South Dublin Bay SAC) are located between c.17km and 22km from the proposed development. Having regard to the characteristics of the agricultural site and the surrounding lands which are being redeveloped for commercial uses, the substantial separation distance between the proposed development and the Dublin Bay European sites, the coastal nature of the Qualifying Interests and Special Conservation Interests the sites, and the absence of a downstream aquatic connection with these sites, it is highly unlikely that the proposed development would have an adverse effect on the Dublin Bay SPAs or SACs or their Conservation Objectives.

**Conclusion:** I am satisfied that all of the European sites can be screened out of any further assessment because of the nature of the European site and its Qualifying Interests/Special Conservation Interests, and the absence of a downstream aquatic or any other connection between the European site and the proposed development and the substantial separation between the European site and the proposed development.

### **AA Screening Conclusion**

In conclusion, having regard to the nature and scale of the proposed development, to the separation of the proposed data centre site from the European sites, to the nature of the qualifying interests, special conservation interests and conservation objectives of the European site, and to the available information as presented in the submitted documents regarding ground and surface water pathways between the application site and the European sites and other information available, it is my opinion that the proposed development does not have the potential to affect any European sites having regard to the conservation objectives of the relevant site, and that progression to a Stage 2 Appropriate Assessment is not required.

## **7.0 ENVIRONMENTAL IMPACT ASSESSMENT**

### **7.1 Introduction**

This section of the report deals with the potential environmental impacts of the proposed development during the construction and operational phases of the development.

***This section should be read in conjunction with Section 6.0 (Planning Assessment) of this report and considered in conjunction with Section 8.0 (EIA) of the concurrent report for ABP-307546-20 (R307546).***

### **7.2 Compliance legislative requirements**

Directive 2011/92/EU was amended by Directive 2014/52/EU. Engine Node has submitted an Environmental Impact Assessment Report (EIAR) which is presented in a 'grouped format' comprising the following:

- Non-Technical Summary
- Main Statement
- Technical Appendices
- Photomontages

It is submitted by the applicant that the EIAR has also been prepared in accordance with the EU (Planning and Development) (Environmental Impact Assessment) Regulations 2018 that came into effect on 1<sup>st</sup> September 2018, and which the Board will be aware, transposed by Directive 2014/52/EU into Irish planning law. As is required under Article 3(1) of the EIA Directive 2011/92/EU amended by Directive 2014/52/EU, the EIAR identifies, describes and assesses in an appropriate manner, the direct and indirect significant effects of the project on the following environmental factors: (a) population and human health; (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC; (c) land, soil, water, air and climate; (d) material assets, cultural heritage and the landscape and it equally considers the interaction between the factors referred to in points (a) to (d).

I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the applicant, adequately identifies and describes the direct, indirect and cumulative effects of the proposed development on the environment and complies with all relevant the requirements. I am also satisfied that the information contained in the EIAR complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014. I have carried out an examination of the information presented by the applicant, including the EIAR, and the written submissions.

The EIAR describes the proposed development, including information on the site and the project size and design. A description of the main alternatives studied by the applicant and alternative locations considered, is provided and the reasons for the preferred choice. The impact of the proposed development was assessed under all the relevant headings with respect to population and human health; noise, air and climate; biodiversity; landscape; land, geology and soils; hydrology and hydrogeology; roads and traffic; material assets and cultural heritage; interactions of impacts; and the suggested mitigation measures are set out at the end of each chapter.

The content and scope of the EIAR is in compliance with Planning Regulations. No likely significant adverse impacts were identified in the EIAR.

### **7.3 Consideration of Reasonable Alternatives**

The consideration of reasonable alternatives was considered in Section 4.0 of the EIAR in relation to the proposed substation, 220kV and 75kVA transmission routes and the connecting pylons. The following alternatives were considered with respect to the proposed development.

- Do Nothing Alternative
- Alternative project locations
- Alternative designs/layouts
- Alternative processes
- Alternative mitigation measures

The EIAR concluded that the proposed development represents the optimum solution taking into account access to land, cost and environmental effects. Having examined the alternatives and the weighting system that was applied in the EIAR analysis, I would concur with this conclusion.

#### **7.4 Summary of Likely Significant Effects**

Section 6.0 of this report identifies, describes and assesses the main planning issues arising from the proposed development and it should be considered in conjunction with the following environmental impact assessment (EIA). The report attached to the concurrent appeal before the Board under ABP-307546-20 for a data centre which would be served by the proposed substation should also be considered in conjunction with this assessment, and in particular the Section 7.0 (Planning Assessment) and Section 8.0 (Environmental Impact Assessment).

The EIA identifies and summarises the likely significant effects of the proposed development on the environment with respect to several key receptors in the receiving environment. It identifies the main mitigation measures and any residual impacts following the implementation of these measures together with any planning conditions recommended in section 6.0 of this report, and it reaches a conclusion with respect to each of the receptors. It assesses cumulative impacts, identifies interactions between the receptors, and considers the risks associated with major accidents and/or disasters. The EIA reaches a Reasoned Conclusion.

For ease of reference the EIA is presented in a tabular format with respect to:

- Population and Human Health
- Air and Climate
- Landscape
- Biodiversity
- Land soil and water
- Material assets
- Cultural heritage

## Population and human health

**EIAR** sections 5, 9, 10, 11 & 13 dealt with human health, population & employment; air quality; noise & vibration; landscape & visual impact; and traffic & transportation. The EIAR described the receiving environment and identified potential impacts on human beings, human health, local amenities, and health & safety. The EIAR did not predict any significant adverse impacts on human beings, population, or human health as a result of dust emissions, noise & vibration, visual intrusion or traffic movements during the construction and operational phases, subject to implementation of mitigation measures which mainly relate to the management of traffic and construction works.

<b>Submissions</b>	<b>Concerns raised</b>
Mannix & Amy Coyne	General Disturbance & visual intrusion
<b>Potential impacts</b>	<b>Assessment &amp; mitigation measures</b>
<p>Potential for the following impacts on human beings during the construction and operational phases of the proposed development.</p> <p><b>Residential amenity:</b> potential minor localised impacts on residential amenity.</p> <p><b>Visual:</b> potential minor localised visual impacts on nearby houses during the operational phase.</p>	<p>The surrounding area to the NE and SW comprises several detached dwelling houses, and the lands to the N, NE and far S are characterised by industrial &amp; commercial uses.</p> <p>Refer to section 6.3 of this report for detailed analysis of residential impacts which concluded that there would be no significant adverse effects on amenity by way overshadowing, overlooking or visual intrusion.</p> <p>Refer to section 6.2 of this report for detailed analysis of visual impacts which concluded that there would be no significant adverse effects. The lands are mainly flat with a gentle slope to the S and the substation would be located within the data centre compound. The substation would not be visually obtrusive or overbearing having regard to its scale, height and location</p>



**Noise & vibration:** potential for localised noise impacts on residential amenities from construction activities & minor disturbance during operational phase.

**Dust:** Potential for dust & air quality impacts during construction phase.

within the central section of the site and the presence of landscaped berms around the perimeter (under ABP-307546-20).

Noise emissions during the construction phase are predicted to be less than the prevailing ambient noise levels at the nearest sensitive receptors. There will be no significant additional noise generated during the operational phase.

Dust emissions during the construction phase are not expected to travel more than c.200m from the site and dust and would mainly be deposited within c.50m of the works (depending on prevailing weather conditions).

There would be no significant dust emissions during the operational phase.

Having regard to the relatively small scale and nature of the proposed development and to the separation distances to the nearest houses, I am satisfied that the proposed substation would not have any significant long-term effects (noise & dust) during the construction or operational phases.

This would be subject to compliance with the EIAR mitigation measures, compliance with best construction practices and adherence to an agreed CEMP.

<p><b>Traffic:</b> Construction and operational traffic volumes have potential for localised air quality impacts &amp; road safety.</p> <p><b>Health &amp; safety:</b> Potential for adverse impacts on health &amp; safety from on-site accidents.</p>	<p>Refer to section 6.4 of this report for a detailed analysis of movement &amp; access impacts. The local road network has sufficient capacity to assimilate the additional traffic volumes associated with the construction &amp; operational phases. The existing &amp; future shared vehicular access arrangements with the proposed data centre are acceptable, and adequate off street car parking would be provided.</p> <p>This concern would be addressed by way of compliance with all relevant health and safety legislation.</p>
<p><b>Residual Effects:</b> There will be some increase in noise, dust &amp; traffic emissions during the construction &amp; operational phases however predicted levels are within guidance limit values. Residual impacts are not predicted to be significant subject to the implementation of mitigation measures &amp; suggested conditions.</p>	
<p><b>Cumulative Impacts:</b> The proposed development would give rise to some minor cumulative impacts in-combination with the construction of the proposed data centre (as amended by the omission of the energy centre), with no significant cumulative impacts predicted during the operational phase.</p>	
<p><b>Conclusion:</b> I have considered all the written submissions made in relation to population and human health, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.</p>	

## Air and Climate

**EIAR** sections 9 & 13 and associated Technical Appendices dealt with air quality and traffic & transportation. The EIAR described the receiving environment and identified potential impacts on air quality. It did not predict any significant adverse impacts on air and climate as a result of dust emissions or traffic movements during the construction and operational phases, subject to implementation of mitigation measures.

<b><i>Submissions</i></b>	<b><i>Concerns raised</i></b>
Planning Authority & TII Mannix & Amy Coyne	Dust & traffic emissions Energy demand & climate change
<b><i>Potential impacts</i></b>	<b><i>Assessment &amp; mitigation measures</i></b>
<p><b>Dust:</b> Potential short term localised impacts on air quality resulting from dust emissions during the construction phase.</p>	<p>Dust emissions during the construction phase are not expected to travel more c.200m from the site and dust would be mainly be deposited within c.50m of the works (depending on prevailing weather conditions). There would be no dust emissions during the operational phase.</p> <p>Having regard to the relatively small scale and nature of the proposed development and to the separation distances to the nearest sensitive receptors, I am satisfied that the proposed substation would not have any significant long-term effects during the construction or operational phases. This would be subject to compliance with the EIAR mitigation measures, compliance with best construction practices and adherence to an agreed CEMP.</p>

<p><b>Traffic emissions:</b> Potential short term localised impacts on air quality resulting from increased traffic volumes during construction &amp; operational phases.</p> <p><b>Energy demand:</b> Potential for long terms impacts on achievement of Climate Change &amp; carbon emission reduction targets (EU &amp; National).</p>	<p>Refer to section 6.4 of this report for a detailed analysis of movement &amp; access impacts. The national, regional &amp; local road network has sufficient capacity to assimilate the additional traffic volumes associated with the construction &amp; operational phases.</p> <p>The proposed development would not have any significant long-term effects during the construction or operational phases. This would be subject to compliance with the EIAR mitigation measures, compliance with best construction practices and adherence to an agreed CEMP which should contain a Traffic Management Plan.</p> <p>Refer to section 6.7 of this report which notes that this is an energy transmission project as opposed to an energy use or energy generation project. A balance will be achieved as Ireland moves towards achieving the 70% renewable energy target by 2030.</p>
<p><b>Residual Effects:</b> There will be some increase in dust &amp; traffic emissions during the construction phase however predicted levels are within guidance limit values and residual impacts are not predicted to be significant, subject to the implementation of mitigation measures.</p>	
<p><b>Cumulative Impacts:</b> The proposed development would give rise to some minor cumulative impacts in-combination with the construction of the proposed data centre (as amended by the omission of the energy centre), with no significant cumulative impacts predicted during the operational phase.</p>	
<p><b>Conclusion:</b> I have considered all the written submissions made in relation to air and climate, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.</p>	

## Landscape

**EIAR** section 11 and associated Technical Appendices & Photomontages, undertook an assessment of landscape and visual effects. The EIAR described the receiving environment and identified potential impacts on the landscape and visual amenity from several viewpoints around the site (incl. the road network, residential & community areas). The EIAR did not predict any significant adverse impacts on landscape during the construction and operational phases, subject to implementation of mitigation measures.

<b><i>Submissions</i></b>	<b><i>Concerns raised</i></b>
None	None raised.
<b><i>Potential impacts</i></b>	<b><i>Assessment &amp; mitigation measures</i></b>
There is potential for the following impacts on the landscape during the construction and operational phases of the proposed development.	<p>The development would not be located within a sensitive landscape, there are no protected views across the site and the lands are flat with a gentle slope to the S. The substation would be located within an extensive area that is zoned E2/E3 for large scale employment use and the site is bound to the N, NE &amp; S by existing &amp; permitted buildings.</p> <p>The site boundaries would be defined by landscaped berms under the proposals for the overall data centre site (ABP-307546-20). No adverse on views from the local road network, residential or commercial areas anticipated.</p> <p>Proposal would not be visually obtrusive or overbearing having regard to its scale, height, and location within the central section of the site, the presence of landscaped berms around the perimeter and the undergrounding of the transmission lines.</p>

<p><b>Residential amenity:</b> Potential for minor localised visual impacts on nearby houses to SW during the operational phase.</p> <p>and,</p> <p><b>Road network:</b> Potential for minor localised visual impacts along the local road network during the operational phase.</p> <p><b>Heritage features:</b> Potential for minor localised visual impacts on Gunnocks House to the SW and other heritage features in the wider area during the operational phase.</p>	<p>The substation would not lie within a sensitive landscape, there are no protected views across the site and the lands are flat with a gentle slope to the S. The site boundaries would be defined by landscaped berms (ABP-307546-20) with no adverse on views from the surrounding road network or residential areas anticipated. Refer to section 6.2 of this report for a detailed analysis of visual impacts which concluded that there would be no significant adverse effects.</p> <p>There would be no adverse effects on the character or setting of Gunnocks House or any other heritage features in the surrounding area, having regard to the separation distance, the undergrounding of transmission cables, the landscaped berms and the separation distance to the pylons located to the far N.</p>
<p><b>Residual Effects:</b> Impacts predicted to be minor subject to implementation of mitigation measures.</p>	
<p><b>Cumulative Impacts:</b> None predicted.</p>	
<p><b>Conclusion:</b> I have considered all the written submissions made in relation to landscape, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.</p>	

## Biodiversity

**EIAR** section 6, 7 & 8 and associated Technical Appendices dealt with: - hydrology & water quality; land, soils, geology & hydrogeology; and biodiversity, and an outline Construction & Environmental Management Plan was prepared. Desk top studies & field surveys were undertaken and an AA Screening report was prepared (Refer to section 6.7). The EIAR described the receiving environment which comprises agricultural fields defined by hedgerows and ditches. It noted the evolving rural location and light industrial/commercial use of the surrounding lands. It did not identify any sensitive sites or the presence of any protected plant or animal species resident within the site, although it noted that the lands are used by foraging birds & bats and that there is a badger sett to the S. The EIAR did not predict any significant adverse impacts on biodiversity during the construction and operational phases, subject to the implementation of mitigation measures to protect water ground and surface quality.

<b><i>Submissions</i></b>	<b><i>Concerns raised</i></b>
IFI, Fingal Co. Co Mannix & Amy Coyne	Impact on water quality & aquatic ecology (incl. Salmon, Brown trout & Sea trout). Impact on ecology (inc. bats & badgers).
<b><i>Potential impacts</i></b>	<b><i>Assessment &amp; mitigation measures</i></b>
The site comprises agricultural grazing land which is defined by hedgerows & traversed by ditches. It has a downstream aquatic connection to the Pace Stream (transmission lines & pylons), Pinkeen River (substation & transmission lines) and hence the River Tolka. Birds & foraging bats have been recorded and there is a large badger sett in the vicinity of the S site boundary. There is potential for the following impacts on Biodiversity during the construction and operational phases.	The site & surrounding lands are not covered by any sensitive heritage designations. The site contains hedgerows & drainage ditches and there is evidence that it has been used by several species of animal (incl. badgers, birds & bats).

<p><b>European sites:</b> Potential aquatic or mobile connections to sensitive sites.</p> <p><b>Habitats:</b> Potential for permanent localised loss of or alteration to non-designated habitats (including drainage ditches, hedgerows &amp; scrub) during the construction phase.</p> <p><b>Flora:</b> Potential for permanent localised loss of non-designated species during construction phase.</p> <p><b>Fauna:</b> Potential for minor localised disturbance to several species of animal during the construction &amp; operational phases.</p>	<p>Refer to Section 6.7 of this report (AA Screening) which concluded that the works would not result in the loss, disturbance or damage to any designated sites, habitats, or species during either the construction or operational phases.</p> <p>Several non-designated habitats (incl. hedgerows &amp; ditches) would be permanently lost or altered but given their lack of sensitivity, and the proposal to plant native tree and hedgerow species on the landscaped berms (ABP-307546-20), the overall long-term impact would not be significant.</p> <p>Several non-designated plant species would be permanently lost but given their lack of sensitivity and the proposal to plant native tree and hedgerow species on the landscaped berms (ABP-307546-20), the overall long-term impact would not be significant.</p> <p>Several species of animal would be disturbed during the construction phase (incl. foxes, rabbits, hares, birds &amp; foraging bats). Some may eventually return and habituate to activity on the site in the long term during the operational phase, having regard to the proposed planting of the landscaped berms (ABP-307546-20) with native species around the perimeter.</p>
--	--



	<p>A badger sett was identified outside of the S site boundary, a 30m buffer would be provided and artificial lighting avoided. The proposed development would cause no additional disturbance to this species.</p> <p>Several species of bird frequent the site (mainly passerine). Buzzards were also noted flying overhead however the site does not offer suitable nesting habitat. Vegetation clearance during the construction phase would take place outside of the nesting season for birds. Any loss of foraging habitat would be compensated in the long-term by the planting of the perimeter landscaped berms with native species (ABP-307546-20).</p> <p>Foraging bats could be adversely affected by vegetation clearance during the construction phase and artificial lighting during both phases. There was no evidence of roosting or nesting activity within the overall lands. EIAR mitigation measures include pre-construction bat surveys, seeking a NPWS Derogation Licence if required to enable relocation, and the minimal artificial lighting.</p> <p>Mitigation measures should include pre-construction bat surveys, a 30m buffer around the badger sett, the avoidance of artificial lighting. Fencing panels should be erected in such a manner so as allow wildlife to traverse the site.</p>
--	---

<p><b>Aquatic species:</b> Potential for localised loss of, or disturbance to freshwater species as a result of a deterioration in water quality due to sedimentation, spillages and surface water runoff during the construction operational phases (substation &amp; cable excavations).</p>	<p>The lands drain to the Pace Stream &amp; Pinkeen River via on site drainage ditches, which ultimately discharges to the River Tolka. The surface water drainage arrangements and adherence to best construction practices would protect water quality (including aquatic species &amp; fisheries) in the downstream watercourses from contamination during the construction &amp; operational phases.</p> <p>Refer to section 6.6 of this report for a detailed analysis of impacts on biodiversity. The proposed development would not have any significant long-term effects on aquatic species during the construction or operational phases. This would be subject to the implementation of surface water management arrangements, compliance with EIAR mitigation measures, adherence to best construction practices and an agreed CEMP.</p>
<p><b>Residual Effects:</b> Impacts predicted to be minor subject to implementation of mitigation measures.</p>	
<p><b>Cumulative Impacts:</b> The proposed development would give rise to some minor cumulative impacts in-combination with the construction of the proposed data centre (as amended by the omission of the energy centre), with no significant cumulative impacts predicted during the operational phase.</p>	
<p><b>Conclusion:</b> I have considered all the written submissions made in relation to biodiversity, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.</p>	

## Land, soil and water

**EIAR** sections 6 & 7 and associated Appendices dealt with: - hydrology and land, soils, geology & hydrogeology. The EIAR described the receiving environment and several desktop studies, field surveys & ground investigation tests were undertaken. The site comprises agricultural lands underlain by Limestone bedrock, the aquifer vulnerability rating is High with Poor productivity, and the site drains to Pace Stream and the Pinkeen River via on site ditches, and hence to the River Tolka, with no sensitive hydrogeological features in the vicinity. The EIAR described the proposed excavation & construction works for the substation and 220kV & 75kVA underground cables. It identified potential impacts (incl. accidental sediment & chemical discharges to ground & surface water during the construction phase, and surface water run-off during the operational phase). The EIAR also contained an Engineering & Planning Report (Drainage & Water Services) and an outline CEMP. The EIAR did not predict any significant adverse impacts on land, soil or water during the construction and operational phases, subject to implementation of mitigation measures (including containment and management measures for surface water & fuels).

<b><i>Submissions</i></b>	<b><i>Concerns raised</i></b>
IFI, Planning Authority & Fingal Co. Co.	Water quality & fisheries.
<b><i>Potential impacts</i></b>	<b><i>Assessment &amp; mitigation measures</i></b>
There is potential for the following impacts on land, soil & water in relation to the works associated with the construction & operation of the proposed substation and the construction of the underground 220kV & 75kVA cables.	The overall lands comprise gently sloping agricultural grazing land that are underlain by limestone till and traversed by drainage ditches. The lands drain to the Pace Stream and Pinkeen River via on-site drainage ditches which ultimately discharge to the River Tolka. The underground cables would traverse several ditches via existing crossings.

<p><b>Water quality:</b> Potential pollution of watercourses (with resultant impacts on aquatic ecology) by sediments released during construction works &amp; by run-off, accidental fuel spillages or leaks during the construction &amp; operational phases.</p> <p><b>Ground &amp; surface water contamination:</b> Potential impacts resulting from surface water run-off, and leakage &amp; spillages from vehicles during the construction phase (substation, underground cables &amp; pylons), and potential impacts from surface water run-off and by accidental fuel spillages or leaks during the operational phase.</p> <p><b>Flood risk:</b> Potential impacts resulting from uncontrolled surface water runoff within and down slope of the site, on nearby infrastructure &amp; watercourses.</p>	<p>The surface water management arrangements &amp; EIAR mitigation measures would protect ground and surface water quality in nearby watercourses (incl. aquatic species) from contamination by sediment laden run-off and chemical spills during the construction &amp; operational phases. These measures include sediment traps, spillage kits and appropriate disposal of any identified contaminated soil waste.</p> <p>Adherence to best construction practice and the methodologies contained in the agreed CEMP (incl. the surface water &amp; site drainage management plans) and compliance with all relevant regulations would ensure the protection of ground &amp; surface water quality during the construction &amp; operational phases.</p> <p>Refer to section 6.5 of this report which dealt with the flood risk assessment for the overall data centre (ABP-307546-29). No adverse flood risk impacts anticipated during the construction &amp; operational phases.</p>
<p><b>Residual Effects:</b> Residual impacts are not predicted to be significant subject to the implementation of mitigation measures.</p>	
<p><b>Cumulative Impacts:</b> The proposed development would give rise to some minor cumulative impacts in-combination with the construction of the proposed data centre (as amended by the omission of the energy centre), with no significant cumulative impacts predicted during the operational phase.</p>	

**Conclusion:** I have considered all the written submissions made in relation to land, soil & water, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.

**Material assets**

*EIAR* sections 13 & 14 and associated technical appendices dealt with traffic & transportation and material assets (incl. access, power supply, telecommunications, water supply & wastewater management). The *EIAR* described the receiving environment (incl. the road network & existing and future access arrangements) and several desktop studies and traffic surveys were undertaken. The *EIAR* described the site as comprising agricultural fields located within lands zoned E2/E3 employment/light industrial/warehouse uses. It described the proposed movement, access, and service arrangements. It identified some minor traffic impacts during the construction and operational phases. The *EIAR* did not predict any significant adverse impacts on material assets during the construction & operational phases, subject to implementation of mitigation measures.

<b><i>Submissions</i></b>	<b><i>Concerns raised</i></b>
IFI, TII & Planning Authority RISL & Drummond Ltd Mannix & Amy Coyne	Water quality & fisheries. Engagement with transport agencies. Proposed future access via adjacent lands. Impact of construction traffic. Broadband issues.
<b><i>Potential impacts</i></b>	<b><i>Assessment &amp; mitigation measures</i></b>
There is potential for the following impacts on material assets in relation to the construction & operational phases of the proposed development.	The proposed development would be situated within an area that is designated for employment, light industrial and warehousing uses (E2/E3). The site & surrounding area is connected to the local, regional and national road network. The surrounding lands (not the site) are served by an existing water supply & foul sewer along the R147, power supply, broadband & telecommunications network, and a nearby by railway station & bus route.

**Traffic:** Construction & operational traffic have potential for localised impacts on the road network & traffic safety.

Refer to section 6.4 of this report for a detailed analysis of movement & access impacts. The national, regional & local road network has sufficient capacity to assimilate the additional traffic volumes associated with the construction & operational phases. The temporary construction access of the R147 is acceptable. The shared future permanent vehicular access arrangements with the proposed data centre (ABP-307546-20) are acceptable via the future major distributor road (Bracetown Link Road). Adequate off street car parking would be provided. No adverse traffic impacts anticipated.

**Water supply & drainage:** Potential impacts on environmental services related to the provision of clean water and disposal of unclean water from the site (including wastewater & storm water), and resultant impacts on water quality and flooding as a result of uncontained and unmanaged discharges.

Refer to section 6.5 of this report for an analysis of water supply and drainage impacts. The data centre and substation would be connected to the existing public water supply and public sewer along the R147, and IW has indicated that there is an adequate public water supply. The proposed development would drain to a nearby watercourse via a customised on-site drainage system associated with the overall data centre project.

Refer to EIA Land, Soil & Water above which concluded that the proposed development would not have significant impact on surface & ground or ground

<p><b>Power supply &amp; telecommunications:</b> Potential impacts on existing Broadband services.</p>	<p>water and would not give rise to a flood risk. This would be subject to compliance with EIA mitigation measures, adherence to CEMP methodologies, and best construction practice.</p> <p>No adverse impacts anticipated. The proposed development would be connected to existing substations and telecommunication services which would in turn ensure a continuity of supply and connection to the proposed data storage centre &amp; substation on the overall lands.</p>
<p><b>Residual Effects:</b> Residual impacts are not predicted to be significant subject to the implementation of mitigation measures.</p>	
<p><b>Cumulative Impacts:</b> The proposed development would give rise to some minor cumulative impacts in-combination with the construction of the proposed data centre (as amended by the omission of the energy centre), with no significant cumulative impacts predicted during the operational phase.</p>	
<p><b>Conclusion:</b> I have considered all the written submissions made in relation to material assets, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.</p>	



## Cultural heritage

**EIAR** sections 11 & 12 and associated technical appendices dealt with landscape & visual impact and archaeology, architectural & cultural heritage. The EIAR described the receiving environment as comprising former agricultural fields located within an evolving rural area and it identified several cultural artefacts in the wider area (incl. Gunnocks House). The EIAR described the proposed development and identified potential impacts on cultural heritage around the site. It did not predict any significant adverse impacts during the construction and operational phases, subject to implementation of mitigation measures (including testing, monitoring & recording).

<b>Submissions</b>	<b>Concerns raised</b>
None	None raised.
<b>Potential impacts</b>	<b>Assessment &amp; mitigation measures</b>
<p><b>Archaeology:</b> Potential impacts on recorded and as yet undiscovered artefacts.</p>	<p>The site &amp; environs are not covered by any sensitive designations and the proposed development would not have an adverse impact on archaeological heritage. This would be subject to implementation of EIAR mitigation measures (incl. testing, monitoring &amp; recording) &amp; compliance with planning conditions (archaeological monitoring).</p>
<p><b>Heritage features:</b> Potential impact on character &amp; setting of historic Gunnocks House.</p>	<p>Refer to section 6.2, and the EIA Landscape section of this report which concluded that the proposed development would not have any adverse impacts on the nearby Gunnocks House to the SW.</p>

**Residual Effects:** Residual impacts are not predicted to be significant subject to the implementation of mitigation measures.

**Cumulative Impacts:** None predicted

**Conclusion:** I have considered all the written submissions made in relation to cultural heritage, in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and that no significant adverse effect is likely to arise.

## 7.5 Cumulative Impacts

There are several existing, permitted or proposed plans and projects within a 20km radius of the proposed development that have the potential to result in-combination effects with the proposed development on the receiving environment. These are addressed in each of the EIAR chapters. However, the main project relates to the concurrently proposed data centre (ABP-208546-20) and the RISL data storage facility on the nearby site to the S (Runways/Facebook), and to a lesser extent the existing business and warehouse developments to the immediate N and NE of the site (Bracetown & Hub Logistics).

Having regard to the nature and scale of the various projects and the E2/E3 zoning objective (incl. employment/light industrial/warehousing uses), and the agreed Master Plan for the overall lands, I am satisfied that adverse cumulative effects can be avoided, managed and mitigated by the embedded measures which form part of the proposed development, EIAR mitigations measures, and recommended conditions. There is, therefore, nothing to prevent the granting of approval on the grounds of cumulative effects.

## 7.6 Interactions and Interrelationships

I have also considered the interrelationships between the key receptors and whether this might as a whole affect the environment, even though the effects may be acceptable when considered on an individual basis. In particular, the potential arises for the following interactions and interrelationships.

### ***Population and human health:***

- Noise and dust
- Air quality and climate
- Roads and traffic (air quality, safety & disturbance)

### ***Air & climate***

- Noise and dust
- Roads and traffic (emissions)
- Population and Human Health

### ***Landscape***

- Population and Human Health (visual amenity)
- Material Assets and Cultural Heritage

### **Biodiversity:**

- Hydrology (water quality & fisheries)
- Population and human health (water quality)
- Soils and geology (water quality)

### ***Land, Soil and Water:***

- Air quality
- Biodiversity (terrestrial & aquatic)
- Population & Human Health

### ***Material Assets and Cultural Heritage:***

- Population & human health
- Landscape (visual amenity & landscape character)
- Roads and traffic (disturbance & safety)

In conclusion, I am satisfied that any such impacts can be avoided, managed and mitigated by the measures which form part of the proposed development.

## **7.7 Risks associated with major accidents and/or disasters**

No outstanding risks associated with major accidents or disasters identified and the potential impacts associated with climate change have been factored into most sections of the EIAR.

## 7.8 Reasoned Conclusion

Having regard to the examination of environmental information contained above, and in particular to the EIAR and the submissions from the planning authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment have been identified in section 6.0 and section 7.0 of this report. It is considered that the proposed development would not give rise to any significant direct or indirect impacts of the environment, and the minor direct and indirect impacts are as follows.

- The ***risk of pollution of ground and surface waters during the construction phase*** through a lack of control of surface water during excavation and construction, the mobilisation of sediments and other materials during excavation and construction and the necessity to undertake construction activities in the vicinity of existing watercourses. The construction of the proposed project could also potentially impact negatively on ground and surface waters by way of contamination through accidents and spillages. These impacts would be mitigated by the agreement of measures within a Construction and Environment Management Plan, and the implementation of mitigation measures related to control and management of sediments, accidental spills and contamination, and drainage management.
- The proposed project would give rise to a minor localised increase in ***vehicle movements and resulting traffic impacts*** during the construction and operational phases. These impacts would be mitigated by the agreement of measures within a Construction and Environment Management Plan.
- The project could give rise to minor localised impacts on ***residential amenity*** during the construction (noise, dust, traffic safety & general disturbance) phase. These impacts would be mitigated by the implementation of measures related to the protection of air quality, control of noise and dust, traffic management and the erection of screening berms.

## **8.0 Recommendation**

Arising from my assessment of this planning application I recommend that planning permission should be granted for the proposed development for the reasons and considerations set down below, and subject to the attached conditions.

## **9.0 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 Meath County Development Plan 2013 to 2019,
- d. The distance to dwellings or other sensitive receptors,
- e. The submissions made in connection with the application,
- f. The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites,
- g. The report and recommendation of the Inspector.

### **Proper planning and sustainable development:**

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning and related policy, it would not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it 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.

### **Environmental Impact Assessment:**

The Board completed an environmental impact assessment of the proposed development taking account of:

- (a) the nature, scale, location and extent of the proposed development on a site,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the application,
- (c) the submissions received from the prescribed bodies, planning authority and observers, and
- (d) the Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the application. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- The risk of pollution of ground and surface waters during the construction phase which would be mitigated by the implementation of measures set out in the Environmental Impact Assessment Report (EIAR) and the outline Construction and Environment Management Plan (oCEMP) which include specific provisions relating to groundwater, surface water and drainage.
- Noise, vibration and dust during the construction and/or the operational phases would be avoided by the implementation of the measures set out in the Environmental Impact Assessment Report (EIAR) and the outline

Construction and Environment Management Plan (oCEMP) which include specific provisions relating to the control of dust and noise.

- The increase in vehicle movements and resulting traffic during the construction and operational phases would be avoided by the implementation of the measures set out in the Environmental Impact Assessment Report (EIAR) and the outline Construction and Environment Management Plan (oCEMP).
- The impacts on residential amenity during the construction and operational phases would be avoided by the implementation of the measures set out in the Environmental Impact Assessment Report (EIAR) and the outline Construction and Environment Management Plan (oCEMP) which include specific provisions relating to the control and management of dust, noise, water quality and traffic movement.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

#### **Screening for Appropriate Assessment:**

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European sites, in view of the site's Conservation Objectives.

## 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 mitigation measures identified in the EIAR and other plans and particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the conditions of this permission.

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

3. The developer shall comply with the following general requirements:
  - (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
  - (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
  - (c) Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level.
  - (d) Cables within the site shall be located underground.

**Reason:** In the interest of clarity, of visual and residential amenity, to allow wildlife to continue to have access to and through the site, and to minimise impacts on drainage patterns and surface water quality.



4. The developer shall comply with the following nature conservation requirements:
- a. No felling or vegetation removal shall take place during the period 1<sup>st</sup> March to 31<sup>st</sup> August.
  - b. A pre-construction bat survey shall be carried out by a suitably qualified ecologist during the active bat season.
  - c. Any destruction of bat roosting sites or relocation of bat species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage.
  - d. A 30m cordon shall be installed around any badger sett entrances, which shall be screened and remain in place throughout the construction works.
  - e. There shall be no artificial lighting of any badger sett entrances during the construction and operational phases.

**Reason:** In the interest of biodiversity and nature conservation.

5. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. All existing hedgerows (except at access track openings) shall be retained. The landscaping and screening shall be maintained at regular intervals. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those original required to be planted.

**Reason:** To assist in screening the proposed development from view and to blend it into its surroundings in the interest of visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

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

7. The developer shall comply with the transportation requirements of the planning authority for such works and services as appropriate.

**Reason:** In the interest of traffic and pedestrian safety.

8. The developer shall comply with the following specific transportation requirements:
  - a. The proposed access on to the R147 shall be temporary. Once the major distributor road has been completed and taken in charge by the local authority the development shall be accessed from the major distributor road. The developer shall submit details of the closure of the temporary access on the R147 for the written agreement of the planning authority within three months of opening of the permanent access onto the major distributor road.
  - b. The developer shall submit for the written agreement of the planning authority, prior to the commencement of development, an amended road layout within the site that facilitates a link road between a long term/permanent access point on the eastern boundary of the site to the third-party lands along the southern boundary of the site. This shall include a detailed design of the revised road layout and the applicant shall transfer this section of the land and the road, free of charge to Meath County Council when complete.
  - c. Prior to commencement of development, the developer shall enter into an agreement, under Section 47 of the Planning and Development Act 2000, as amended or otherwise, to finalise details of their proposal to provide access to third party lands (item b above refers), and agree the phasing for the completion of the design, construction and handover to Meath County Council of same.
  - d. The developer shall submit for the written agreement of the planning authority, prior to the commencement of development, the detailed design of the proposed access points to the site from the R147 regional road and the local road L-1010. This shall include but not be limited to, the footpaths, kerbs, fencing, public lighting, drainage and the R147 right turn lane.

- e. The developer shall bear all costs associated with the design, construction and transfer to Meath County Council of the works agreed in items b, c and d above.
- f. The developer shall implement the remedial and mitigation measures identified in section 13.6 of the EIAR. The details of same are to be agreed with the planning authority prior to commencement of development.
- g. The developer shall submit for the written agreement of the planning authority, prior to the commencement of development a revised Masterplan reflecting this permission and the conditions detailed in items a to g above.

**Reason:** In the interest of traffic safety, infrastructure provision, and the proper planning and sustainable development of the area.

- 9. The construction of the development shall be managed in accordance with a Construction and Environmental 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 hours of working, noise management measures, traffic management, protection of wayleaves, an invasive species management plan and off-site disposal of construction /demolition waste.

**Reason:** In the interests of public safety and residential amenity.

- 10. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

11. The site development and construction works shall be carried out such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

**Reason:** To protect the residential amenities of property in the vicinity.

12. The developer shall comply with the following aviation requirements:

- a. Notify the Irish Aviation Authority of their intention to commence crane activities with a minimum of 30 days prior notification of their erection.
- b. Consult with the Irish Aviation Authority and the Dublin Airport Authority and develop mitigation measures for bird hazards. Details to be submitted to the planning authority for written agreement.

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

13. The developer shall comply with the following archaeological requirements:

- (a) Pre-development archaeological testing shall be undertaken by a suitably qualified archaeologist, licensed under the National Monuments Acts 1930-2004. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her written consent.
- (b) A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. A copy of the report shall be submitted to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
- (c) The planning authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall be notified in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

14. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development.

**Reason:** To ensure the satisfactory completion of the development.

---

Karla Mc Bride

Senior Planning Inspector

28<sup>th</sup> May 2021