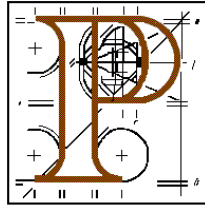


# An Bord Pleanála

## Inspector's Report



### Proposed Development

Request for alterations to the Kellystown 220kV substation granted by An Bord Pleanála under Reg. Ref. ABP – 304862. The alterations are sought under the provisions of S146B of the Planning and Development Act 2000 (as amended).

### Applicant:

Suir Engineering Ltd.

### Planning Authority:

Kildare County Council and  
Meath County Council.

### Type of Application:

Request to amend the terms of an approved development under section 146B of the Planning and Development Act, 2000, (as amended).

### Inspector:

Paul Caprani

## **1.0 INTRODUCTION**

A request was received on behalf of Suir Engineering requesting that the Board exercises its powers under section 146B of the Planning and Development Act 2000, as amended, to alter the terms of approval for the development of the a new 220 kV Gas Insulated Switchgear Substation at Kellystown, to the north of the Intel manufacturing facility, to the west of Leixlip near the Co Kildare / Co Meath border. The substation, along with an extension to the Intel facility granted permission by An Bord Pleanála on 20/11/2019 under ABP 304862-19 and ABP 304672-19 respectively. A covering letter submitted with the current application argues that the alterations proposed under the current S146B application are minor in nature and do not change the fundamentals of the proposed works to be undertaken. Essentially the alterations relate to a revised location for the launch pads for the proposed horizontal directional drilling (HDD) beneath the Rye Water River to connect the substation with the Intel facility. The overall length of the HDD route under the alteration is to be reduce from c.400m in length to c.130m in length. The Rye River forms part of the Rye Water Valley / Carton Special Area of Conservation.

## **2.0 LEGISLATIVE PROVISIONS**

Section 146B (1) of the Planning and Development Act 2000, as amended, allows a person who intends to carry out a strategic infrastructure development, to request the Board to alter the terms of that approved development. Under sub-section 2 the Board must then decide, as soon as is practicable, whether to do so would constitute a material alteration in the terms of the development. If it decides that it would not be material, then under section 146B(3)(a) it shall alter the approval accordingly. If the Board decides that it would constitute a material alteration of the terms of the development, then under 146B(4) it must determine whether the alteration would be likely to have significant effects on the environment. If the Board determines that the alteration would be likely to have significant effects on the environment, then section 146C applies which requires the preparation of a revised EIAR for the purposes of S146B. If not, then under section 146B(3)(b) the Board may (i) make the requested alteration,

(ii) make a different but no more significant alteration, or (iii) refuse to make the alteration. However, before making a determination under the provisions of S146B(3)(b) or S146B(4), the Board must ensure the information associated with the request is made available for inspection and ensure that appropriate persons are notified of the request and that submissions are sought from them in accordance with the provisions of S.146B(8).

Where section 146C applies, the Board must require the person making the request to prepare an EIAR and submit it to the Board and the local authority, and to publish a notice stating that this statement has been submitted and that the submissions or observations upon it may be made to the Board within a specified period of not less than 4 weeks. After that period that Board may determine the matter under section 146B(3)(b) having regard to various matters set out in section 146C(6).

### **3.0 PLANNING HISTORY**

Under Reg Ref ABP 304862-19, An Bord Pleanála granted planning permission for the following:

(a) A 220 kV Gas Insulated Switchgear (GIS) substation primarily contained within a building with a gross floor area of 2,462 square metres rising to a height of approximately 17 metres. Ancillary development within the substation compound will include:

- A lattice steel communication tower approximately 35 metres in height.
- Six lightning rods c.3 metres in height located on the parapet of the GIS building.
- A distribution system operator (DSO) compound approximately 25 square metres in size.
- Interface kiosks.
- An access road c.35 metres in length and 5 metres in width together with a new entrance which will run northwards from the compound through the L1015 Confey Road.

- The substation compound will be bounded by a palisade fence 2.6 metres in height and bounded within a property fence 1.4 metres in height.
- (b) It is also proposed to install 2 no. 220 kV underground cable circuits running northwards and connecting to the Maynooth to Woodland 220 kV overhead powerline in the townland of Bogganstown, County Meath. Each cable trench is to be approximately 3 metres in width and will be placed c.9 metres apart. Each underground cable circuit is approximately 2.3 kilometres in length. The UGC circuits will cross beneath the L1015 Confey road to connect to the 220 kV GIS substation. The cable will also include the provision of eight underground joint bays and the upgrading or extension of existing access tracks in the townlands of Bogganstown, County Meath and Ravensdale, County Kildare to provide for vehicular access.
- (c) The provision of two-line cable interfaced masts approximately 26.5 metres in height which will provide the points of transition from the existing overhead line to the proposed underground cable.
- (d) The installation of 7 bores and associated cable trenches and ancillary equipment connecting the proposed 220 kV GIS substation to demand customer transformers at Intel Ireland. These bores and associate trenches are approximately 400 metres in length and will be bored under the Rye Water Valley/Carton Special Area of Conservation and will facilitate the installation of up to six 220 kV circuits and associated low voltage and communication cabling.
- (e) Other works include the provision of temporary construction compounds along the underground cable alignments and the construction of the new interface masts in Bogganstown.

#### 4.0 DOCUMENTATION SUBMITTED WITH S.146B APPLICATION

The S146B application was accompanied by the following:

- A covering letter seeking approval for alterations sought.
- A Report on the HDD across the Rye River prepared by Malachy Walsh and Partners.
- An Environmental Report which includes, what appears to be the original a Screening for Appropriate Assessment and An NIS submitted with ABP 304862-19 Report prepared by Fahy Environmental.
- 4 no. Drawings, depicting
  - o The Permitted Development (Drawing No. 21217-MWP-00-ZZ-DR-C-2601).
  - o The Alterations under the Current Proposal<sup>1</sup> (Drawing No.21217-MWP-00-ZZ-DR-C-2602).
  - o The Permitted v Optimised Proposal (Drawing No. 21217-MWP-00-ZZ-DR-C-2603).
  - o Proposed Environmental Controls (Dr. No. 21217-MWP-00-ZZ-DR-C-2701).

#### 4.0 PROPOSED ALTERATIONS

The alterations sought under the current S. 146B application, relate to works to be carried out under sub-section (d) above, namely “*the installation of 7 bores and associated cable trenches to be bored under the Rye Water Valley using the horizontal direction drilling technique (HDD)*”.

Documentation submitted with the application states that the proposed alterations are sought on foot of, and in order to, mitigate delays which arose as a result of the Covid 19 pandemic.

---

<sup>1</sup> Referred to in the Drawings as the Optimised Development

The following changes are sought:

- It is proposed to relocate the launch pit to a point closer to the River. The trenchless cable installation zones where the HDD will enter and exit will be closer to the river than originally anticipated. The trenchless cable installation zones will be located approximately 90m to the south of the riverbank, where originally the installation zone was between 70 and 90m to the bank of the river. On the north side was to be located c120m to the north of the river, while under the current proposal the trenchless cable exit zone will be c.45m from the river.
- A much narrower footprint is also to be imposed for the cable run. The narrower footprint arises because of the greater certainty drill shot methodology. The shorter distance for the HDD makes the drill shots easier to control and therefore reduces the potential for the directional drilling to go awry. The original footprint of the cabler run ranged from between 50m and 80m in width. This has been reduced to a width of 24m and is therefore between 2 and 3 times narrower than the permitted option.
- It is also proposed to relocate the launch pad for the HDD to the southside of the river, referred to in the documentation as the demand customer side (Intel side). The relocation of the launch pit to the demand customer side is, according to the documentation submitted more appropriate, given that this area is more heavily serviced and industrial in character.

Environmental measures will be incorporated in order to mitigate the environmental impact. These include robust silt control measures including the construction silt fences, the incorporation of 'silt-buster' control measures and the construction of upslope interceptor drains.

It is anticipated that works can commence before December and therefore satisfy the mitigation measures set out in the original environmental report in respect of badgers. Also under the new proposal there will be no requirement

to carry out night-time work as originally envisaged under the permitted proposal

## **5.0 ASSESSMENT**

### *5.1 Materiality of the Proposed Alterations*

The proposal in this instance seeks to incorporate relatively modest amendments to the scale and extent of the of the HDD bores under the Rye Water River in order to facilitate the installation of the six 220kV circuits. The location of the HDD bores comprises a relatively small component of the overall development of the GIS substation. As set out in section 3 above, the substation is a relatively large structure covering a GFA of c. 0.25 ha and incorporating a steel lattice tower of 35m in height. Works permitted under ABP 304862 also included the installation of 2 no. 220kV underground cable circuits running northwards for c. 2.3 km to link into the Maynooth to Woodland 220kV line to the north of the site. In this context the relatively minor amendments south to the HDD boreholes cannot be considered to be so significant, profound or material as to alter the purpose of the proposal being developed in this instance.

The alterations sought do not in any way alter the nature of the proposal, in terms of size, scale, footprint or energy output. The changes in this instance involve a reduction in the length of the HDD boreholes and also reduce the overall footprint of the works proposed and this in turn could reduce any potential environmental risk on surrounding environmental receptors, (the potential impact on environmental receptors are dealt with under a separate heading below). The route of the HDD bores remains the same as does the methodology to be employed for drilling the boreholes. The number of the proposed bores also remains the same. The modification proposed relates to a minor segment of the proposal and in fact only relates to a segment of the cabling element of the development.

The proposed alterations sought is more likely, if anything, to reduce the potential impact on environmental and residential receptors, and the overall footprint of works associated with the construction of the HDD bores will be significantly reduced, as will the timeframe under which the works will take place, reduced from six weeks to two weeks and also the new methodology to be employed in the construction of the

HDD bores will no longer require 24 hour operation and therefore will reduce the need to work at night-time. Any potential impact on residential and environmental receptors is likely to be more positive.

On the above basis and having regard to, in particular:

- The modest alterations which relate to only one small element of the overall project,
- The proposed alterations will reduce rather than increase the footprint of the HDD in the vicinity of the River Rye,
- The work associated with the HDD bores will be of a shorter duration and will be carried out under daylight hours, as opposed to a 24hr basis as originally planned,

leads to a preliminary conclusion that the proposed alterations are not material in nature. On this basis I would also conclude that it may not be necessary or appropriate having regard to the immateriality of the changes, to notify or invite submissions from the public in respect of the alterations sought.

### 5.3 *Likelihood of a Significant Impact on the Environment*

The Board is required, under section 146B(4), to determine whether the extent and character of the alterations are likely to have significant effects on the environment. While the proposed alterations in this instance do not result in an increase in the size, scale and intensity of the works to be undertaken, this does not necessarily imply that the proposal could not give rise to the likelihood of a significant impact on the environment, particularly as the location of the trenchless cable installation zones have been altered and in the case of the northern side of the river, the trenchless cable installation zone has been moved closer to the River Rye. Although the works are still located outside the boundary of the SAC. Potential impacts on the Natura 2000 sites are dealt with under a separate heading below.

The proposed alterations offer a number of advantages from an environmental perspective over the permitted proposal. Firstly, the launch site is to relocate to the south side of the river, thus the heavy drilling equipment will be placed on less elevated lands adjacent to the Intel site which is more industrial in nature. The visual impact



arising from the alterations is therefore likely to be somewhat reduced during the construction phase.

The documentation submitted also indicates that the shorter, more concise HDD run ensures more accuracy and minimises the risk of bentonite release or 'frac-out' into the underlying geological strata. This reduces the potential threat to groundwater.

As already stated, the proposed alterations will result in a shorter duration time for the works to be undertaken and it is not proposed to operate on a 24-hour basis as originally planned. This reduces the potential for disturbance of surrounding wildlife through noise and artificial lighting.

The proposal also seeks the felling of some 20 to 25 immature deciduous trees in the vicinity of the exit pit on the northside of the river. This could result in the temporary disturbance of fauna, although none of the trees have been identified as having a potential for bat roosts. Furthermore, trees will not be felled until after August 31<sup>st</sup> so as not to impact on the bird nesting season. As a compensatory measure, 25 to 30 trees will be planted in place of the existing trees.

It is apparent therefore that the environment impact arising from the proposed alteration are likely to be less than the potential impact from the permitted development. In fact, in most respects the environmental impact is likely to be more positive than the permitted development.

Arising from the above, the Board is advised to make a determination that the making of the requested alterations would not be likely to have significant effects on the environment.

#### *5.4 Appropriate Assessment Issues*

The documentation submitted with the current application reassesses the environmental impact which could arise in terms of impact on the qualifying interests on surrounding Natura 2000 sites, namely the Rye Water Valley / Carton SAC (Site Code 1398). It concludes that while the exit pit is closer to the river on the north side, the environmental controls which were incorporated as mitigation measures in the

original NIS<sup>2</sup> and were approved by the Board in its original decision will mitigate against any potential adverse impacts on qualifying interests associated with the SAC. On this basis the documentation submitted with the S146B application concludes that the alterations proposed will not result in any additional risk to the SAC and that the proposed alterations is, at worst an equivalent or at best a more environmentally safer option than that proposed in the original planning application.

For the purposes of completeness, it is proposed to carry out an independent assessment of the potential of the proposed alterations to adversely impact on Natura 2000 sites in the vicinity.

The current S146B proposal will involve alterations to the location of the launch site for the HDD drilling and reduce the overall length of the HDD drilling from 400m to approximately 130m. The reduction in the length of the HDD on either side of the river will be replaced by conventional cable laying within standard trenches. Both the relocation of the launch site and the alterations in the construction methodology for laying the cables, could potentially alter the construction regime to the extent that it could conceivably impact on qualifying interests associated with European sites in the vicinity, most notably the Rye Water Valley/Carton SAC which traverses the site. The alterations to the works to be undertaken at surface level, while being located wholly outside the boundaries of the SAC, could potentially give rise to effects within the SAC, mainly through increased sedimentation run-off from trench construction and the relocation on the launch site for the HDD, and also potential bentonite spills during the HDD.

The Rye Water Valley/Carton SAC lies in close proximity to the works and at its closest point, the trenchless cable installation zone, on the north side of the river is approximately 30 metres from SAC boundary. The Rye River is a tributary of the River Liffey. The River Liffey is not a designated Natura 2000 site.

---

<sup>2</sup> What appears to be the original NIS submitted with the original application has been submitted with the current application for the proposed alterations.

The qualifying interest associated with the Rye Water Valley/Carton SAC are:

- *Petrifying springs with tufa formation.*
- *The narrow-mouthed whorl snail (vertigo so angustior).*
- *Desmulin's whorl snail (vertigo moulinsiana).*

The conservation objective associated with this SAC is to maintain or restore the favourable condition of Annex I habitats and/or Annex II species for which the SAC has been selected.

No aspect of the alterations proposed under the S146B application encroaches into the boundary of the SAC site and as such, development will not result in any loss, fragmentation, or direct interference with habitats for which the SAC is designated. It is not proposed to carry out any instream works or works in the vicinity of the banks of the watercourse hence no fragmentation of habitats associated water-based species are anticipated.

However, in the absence of appropriate mitigation measures, potential impacts on the qualifying interests associated with the Rye Water Valley/Carton SAC could result. Works associated with the relocation of the launch and receiver sites, and replacement of approximately 270m of HDD cable route with conventional trench cabling together with the realignment of the HDD cable routes could potentially have adverse impacts. The open cut method of cable route could give rise to potentially more sedimentation run-off in closer proximity to the river. This could result in significant degradation of water quality which in turn could impact on the habitats which support whorl snails within the SAC. While these snails primarily are associated with wetland habitats, and in this instance the habitat occurs at Louisa Bridge approximately 1.6 kilometres downstream of the proposed development, fluctuation in water levels during heavy rainfall or flood event within the river could result in the overtopping of the banks and any sediment laden surface water could potentially impact on the wetland habitat associated with the whorl snail down river.

The breakout from the trenchless construction works, if not appropriately managed, could result in the risk of breakout of the drilling fluid (bentonite) into the surrounding environment. Any groundwater pollution event associated with the horizontal directional drilling could impact on groundwater quality in the area which in turn could adversely affect the habitat of the snails in question.

Airborne fugitive dust was also identified in the original NIS as a potential adverse impact arising from the extensive excavation drilling and stripping of soil which will take place on site. The Board should note however that any potential impact is likely to be reduced under the current alteration application as the footprint of the excavation works relating to cabling will be substantially reduced.

The NIS submitted with the original application sets out a series of mitigation measures in Section 3.6.1 of the report which would be implemented during the construction and operational phase to avoid or reduce the potential impact of the proposed development on the Rye Water Valley/Carnton SAC.

The measures identified to protect surface water quality during construction include the following:

- All pollution control measures will be designed, installed and maintained in accordance with the CIRIA Guidance for “*Environmental Good Practice On-Site*” and the “*Control of Water Pollution from Linear Construction Projects – Technical Guidance*”.
- The proposed construction work area will be demarcated with fencing prior to construction work commencing. A buffer zone a minimum of 50 metres from the southern band of the Rye Water will be applied to ensure that all works are restricted to outside the SAC boundary. No vegetation clearance will occur outside these delineated areas and there will be no loss of riparian woodland habitat.
- Silt fences will be installed at various locations along the alignment of the underground cable route and around the pits associated with the trenches<sup>3</sup>.

---

<sup>3</sup> Details of where the silt fences are to be located, on foot of the S.146B proposed alterations are indicated on drawing 21217-MWP-00-ZZ-DR-C-2071.

- Silt fences will also be positioned around stockpiles of excavated material to ensure no run-off occurs.
- Silt fences will be installed in advance of any ground disturbance works to be carried out.
- The silt fences will comprise of geotextile fabric which will be entrenched at least 100 millimetres into the ground. Any such fences will be inspected daily. The silt fences will remain in place until the disturbed areas within the sites have been reinstated and revegetated.
- It is also proposed to install two 'silt-busters'<sup>4</sup>, - mobile silt-trap equipment at the trenchless cable launch and exit zones to ensure that any silt-laden run-off is properly attenuated.
- All excavated and stockpiled material will be stored a minimum of 50 metres from any watercourse including the Rye River and from any drainage ditches which are hydrologically connected with the watercourse. Silt fences or gravel drain will be positioned around any stockpiles to prevent surface water run-off.
- Stockpiled material comprising of soil, earth and stone will be covered in order to prevent surface water run-off.
- No on-site batching of concrete will be permitted, and the proposed work areas concrete will instead be transported to the site within a concrete truck. Quick setting concrete mixes will be used to reduce the risk of contaminated run-off. All concrete trucks will be washed down and no washdown of concrete will take place within 50 metres of any watercourse or drainage ditch.
- Sediment monitoring both upstream and downstream of the work will be undertaken.
- Sediment monitoring both upstream and downstream of the trenchless construction works will be undertaken throughout the period of this construction.

---

<sup>4</sup> There is no reference to the incorporation of any such silt trap equipment in the original NIS.

- Waste concrete slurry will be allowed to dry and taken into a licensed waste depot for disposal.
- Concrete works will be scheduled for dry weather conditions only in order to reduce elevated risk of run-off.
- The NPWS and the IFI will be notified immediately of any concrete spills in any of the adjoining watercourses.
- Strict monitoring of all hydrocarbons will be undertaken on site. Fuelling and lubrication of plant and equipment will be restricted to the construction compound site. No refuelling will be permitted to incur within 50 metres of any watercourse or drainage ditch.
- Where mobile equipment is required i.e. generators etc. these will be housed in suitably sized bund areas so that any potential leaks or spills are intercepted. No bunds will be located within 50 metres of any watercourse.
- All waste fuels, oils and other hazardous waste will be disposed of in accordance with the requirements of the Waste Management Act. Spill kits and hydrocarbon absorbing packs will be stored within the compound. All water from wheelwash facilities will be removed from site and disposed of in line with waste legislation. No water will be discharged into any watercourse or drainage ditch.
- Biosecurity measures will be implemented during the works and during the installation of the underground circuits. Works across drainage ditches will be completely isolated from the watercourse in accordance with IFI guidelines.
- In relation to the trenchless construction technology, the ESB will appoint a competent specialist contractor to under the works and this contractor will prepare a trenchless construction method statement which will outline the standard approach for trenchless construction. The method statement will be agreed with the IFI and NPWS and the ESB before construction commences. Trenchless construction will be undertaken in accordance with industry best practice.

- To prevent a breakout of bentonite, a number of actions will be implemented. These include close and strict monitoring of drill fluid density, viscosity and solids content on an on-going basis to ensure that the fluid does not increase the pressure within the tunnel. In critical cases viscometers will be used to measure dry fluid gel strength and shear strength. Any increases in pump pressure experienced by the drill operator will be investigated immediately to prevent the risk of pressure build-up within the annulus. The monitoring of drilling operations will always be undertaken by a specialist contractor. Under the current 146B application, the risk of bentonite break out is considerably reduced due to the reduction in length of HDD (from c400m to c.130m) and also the shorter drill run make the drilling alignment easier to control and this minimises the potential for bentonite break-out or frac-out. This reduces the risk to groundwater when compared with the original application.
- As part of the works, sheet piles will be installed within the pits to prevent ingress of groundwater. In the event that an accumulation of water occurs all water be pumped out using submersible pumps. This water will then be permitted to infiltrate into the ground prior to any potential contaminants being removed from site for disposal by an appropriate permitted contractor.
- A number of biosecurity measures will be put in place such as the visual inspection of vehicles for evidence of attached plant or animal material prior to entering or leaving the works area. No instream works will be permitted within the Rye Water or its tributary. Where works are carried out within the drainage ditches, all machinery will be inspected and will be completed dry prior to works commencing to prevent the risk of pathogen translocation. All machinery will be cleaned following the completion of the works.
- The proposed alterations sought under the current 146B application will not impact on the operational phase of the development, therefore no additional threats to the SAC have been identified in this regard.

In terms of in-combination effects, the NIS submitted has already identified and assessed the potential in-combination effects associated with other developments in

the area. The proposed alterations under the current application will not result in any changes in terms of in-combination effects.

### *Conclusions in Relation to Appropriate Assessment Issues*

I have carried out an independent appropriate assessment on the basis of the information provided with the S146 application. I am satisfied that the mitigation measures set out in the original NIS will adequately address any potential impacts, particularly in relation to surface water run-off issues associated with the construction of trenches for cabling, that could additionally arise for the proposed S146B application. Furthermore, I am satisfied that the reduction in the proposed length of underground HDD will reduce the potential risk to groundwater through bentonite break-out. I consider it reasonable to conclude on the basis of the information on file, that the alterations proposed under the S146B application individually or in combination with other plans and projects would not adversely affect the integrity of European Site No. 001398 or any other European Site in view of the site's conservation objectives.

### **Overall Conclusions and Recommendations**

Arising from my assessment above, I recommend that the Board make a determination in respect of the alterations sought under Section 146B(3)(a) of the Planning and Development Act, 2000, (as amended) that the making of the alterations to which this request relates would not constitute a material alteration to the terms of the development concerned on the basis of the draft order set out below.

**REQUEST** received by An Bord Pleanála on the 22<sup>nd</sup> of September 2020 from Suir Engineering Limited under section 146B of the Planning and Development Act, 2000, as amended, in respect of an application for permission under section 182A(1) of the Act described as the provision of a Gas Insulated Switchgear substation, 2 no. 220kV underground circuits forming a loop-in/loop out to the existing Maynooth- Woodland 220kV Overhead line and 6 no. 220kV underground circuits and associated low voltage and communication underground cabling connecting the proposed substation with electricity transformers within the Intel Ireland Facility and all associated and



ancillary site development works. Within the townlands of Bogganstown County Meath and Ravensdale, Kellystown, Blakestown (North Salt- By and Leixlip County Kildare.

**PROPOSED ALTERATIONS:** Consisting of:

- (a) A reduction in the extent and scale of the horizontal directional drilling bores under the River Rye to facilitate the installation of up to six 220kV circuits and associated low voltage and communications cabling.
- (b) Those sections of cabling originally to be routed by the horizontal directional drilling will be replaced by conventional trench excavation.
- (c) The relocation of the horizontal directional drilling launch pad from the northern side of the River Rye to the southside and into the demand customer (Intel) site.

**WHEREAS** the Board made a decision to approve, subject to conditions, the above-mentioned development by order dated the 21<sup>st</sup> day of November, 2019,

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

**AND WHEREAS** having regard to the nature of the issues involved, the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations in relation to the matter from persons who had made submissions or observations in relation to the application, the subject of this alteration,

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in a material alteration to the terms of the development, the subject of the permission,

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

**NOW THEREFORE** in accordance with section 146B(3)(b) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned

decision so that the approved development shall be carried out in accordance with the plans and particulars received by An Bord Pleanála on the 22<sup>nd</sup> Day of September, 2020.

### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

### **REASONS AND CONSIDERATIONS**

Having regard to the nature, scale and location of the proposed development, the documentation submitted with the request and the report of the Inspector, the Board considered that the requested alterations would be of a minor nature, by reason of their nature, extent and temporary duration in the context of the development as a whole, being a major infrastructural development. The proposed alterations would, therefore, not be material in terms of 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 location of the proposed alteration, the planning history of the scheme, the documentation on file, and the assessment of the Inspector in relation to the potential for effects on such Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector, and concluded that, by itself and in combination with other plans or projects in the vicinity, the proposed alteration would not be likely to have significant effects on European Sites.

#### **Environmental Impact Assessment Screening**

Having regard to the modest nature, scale, location and characteristics of the proposed alteration, the characteristics and scale of the potential impacts of the alteration and the provisions of Schedule 5 and Schedule 7 to the Planning and Development Regulations, 2001, as amended, the Board is satisfied that the proposed alteration would not be likely to have significant effects on the environment, either by

itself or in combination with other development in the area. In coming to this determination, the Board concurred with the analysis and conclusions set out in the Inspector's overall report.

### **Conclusions on the Proper Planning and Sustainable Development of the Area**

The Board concluded that the making of the proposed alteration to the approved development would be in accordance with national policies and guidelines, and with regional and local development policy, and that, subject to compliance with the mitigation measures set out on file, the proposed alteration would not seriously injure the amenities of the area or of property in the vicinity, would result in reduced environmental effects, and would be acceptable in terms of the proper planning and sustainable development of the area.

---

**Paul Caprani**

**Senior Planning Inspector**

November 3<sup>rd</sup> 2020.