Inspector's Report
ABP-308628-20

Development	110kV gas insulated switchgear substation compound, associated dropdown transmission lines, and associated development at Drogheda IDA Business and Technology Park, Donore Road, Drogheda, Co. Meath
Location	Drogheda IDA Business and Technology Park, Donore Road, Drogheda, Co. Meath
Planning Authority	Meath County Council
Applicant(s)	CAP Developments LLC
Type of Application	Application under the provisions of Section 182A of the Planning and Development Act 2000, as amended
Prescribed Bodies	TII & IAA
Observers	None
Date of Site Inspection	26 February 2021
Inspector	Una Crosse

Contents

1.0 Introduction

1.1. Pre-Application Consultation

1.1.1. CAP Developments LLC requested Pre-Application Consultations under Section 182E of the Planning and Development Act, 2000, as amended, on 24 June 2020 for the development of a 110kV GIS substation and ancillary works (ABP-307437-20). One Pre-Application Consultation meeting took place between An Bord Pleanála (the Board) and the prospective applicant on 11 August 2020. The Board determined on 29 October 2020 that the proposed development falls within the scope of section 182A of the Planning and Development Act 2000 (as amended) and therefore is strategic infrastructure development within the meaning of the Act and that a planning application should be made directly to the Board.

1.2. Submission of Application

1.2.1. The application was received by the Board on 10 November 2020. Submissions were received from two prescribed bodies. These are summarised in Section 8 of this report. No observations from members of the public have been received. A Chief Executive's Report was received from Meath County Council on 4 February 2021.

2.0 Site Location and Description

2.1. The site of the proposed development is located within a larger holding within the IDA Business and Technology Park on the Donore Road to the south-west of Drogheda town centre, in the townland of Rathmullan, within the administrative area of County Meath. The IDA Business and Technology Park adjoins Junction 9 of the M1 Motorway. Drogheda Retail Park is located opposite the site on the southern side of the Donore Road. The subject site has a stated area of 3.077 hectares with the main part of the site rectangular in configuration with a dog leg strip to the east for the permitted road links and a proposed local electricity supply. The site slopes from west to east and is bounded along its western boundary by mature planting which adjoins the motorway. An existing 110kV overhead line is situated on a north-south alignment along the western boundary of the site. There is also an underground line wayleave along the south-western boundary of the landholding. The northern site

boundary comprises mature planting with the southern boundary comprising lands within the wider landholding and the permitted development site for the data storage building further south. The east of the site is bounded by the estate road. There is an existing two-storey office building, accommodating State Street to the east of the site which has an area of parking to the rear and an access road from the main spine road.

2.2. Construction works are progressing on site for the permitted data storage facility at the southern end of the landholding and the Business and Technology Park (LB/191735). This development includes permitted loop roads around the data storage facility building and to the location of the proposed substation at the northern end of the business and technology park. Works are also ongoing to the boundary of the site to the north in respect of the landscaping of the site including the permitted landscaped berm.

3.0 Proposed Development

3.1. Rationale for Proposed Development

3.1.1. It is stated that the project is designed to support current power demand and future growth within the area inclusive but not limited to the power requirements of the data storage facility permitted to the south of the proposed development site which is located within the overall landholding. It is also proposed to seek permission for further data centre storage buildings, as indicated on the masterplan submitted with the application documentation, which would also require a power supply and which would be facilitated by the proposed development.

3.2. Nature of Proposed Development

3.2.1. The development comprises a substation compound subdivided into two parts both of which are accessed through gates within the boundary:

- Within the western area of the compound, a two-storey 110kV GIS substation building with a gross floor area of 1,447 sq.m and overall height of 15m.

- Within the eastern part of the compound, 4 transformers and a single storey client control building with a gross floor area of 423 sq.m and height of 6m and associated underground services are proposed.
- A smaller scale unit substation located within the western part of the compound and an associated 49kVa electricity connection (544m in length) connecting to existing electrical services in the main avenue of the IDA Business and Technology Park.
- Adjoining the western boundary of the site and separated from the substation compound by a landscaped mound and the palisade fencing permitted by Ref. LB/191735, it is proposed to develop two dropdown 110kV transmission lines connecting the proposed substation building to the existing 110kV overhead transmission lines traversing the subject site to the west of the site comprising the provision of two dropdown masts (16m in height) and associated overhead transmission lines transitioning to underground transmission lines set within ducts that will progress into the substation building and then connect to the 4 transformers.
- The substation compound is proposed to be enclosed with a 2.6m high security fence.
- Other elements of the proposal include: access paths, landscaping, internal roads and car parking within the substation compound.
- An access path for maintenance and inspection of the dropdown 110kV transmission lines and masts will be provided from the loop road permitted under the extant data storage facility development. It follows the perimeter of the proposed substation compound and terminates at the main site security fence for the wider landholding.
- The proposal requires the removal of c.17,000m^3 of excavated material from the site with c.4,800m^3 of fill required to be imported to the site.
- Surface water drainage is proposed by discharging via a series of surface water sewers to an attenuation pond southeast of the proposed substation which was permitted as part of the data centre development before final discharge to the public surface water sewer run-off rates will be compliant with greenfield run-off rates.

- It is proposed to connect the substation to the foul sewer network serving the overall site which transport to the existing public sewer on the Donore Road.

3.3. Permitted Elements

3.3.1. The access road for the proposed substation compound, main site security fence for the wider landholding, boundary landscaping, berms and associated gabion walls constitute development have already been permitted under the extant permission for the data storage facility.

3.4. Future Development

3.4.1. As outlined above, documentation submitted with the application includes a masterplan which outlines the indicative location of future data centre halls/buildings which will be subject to future applications/assessments as appropriate.

3.5. Development Method

3.5.1. It is outlined that upon completion of the development by the developer the majority of same will be handed over to EirGrid whom in conjunction with ESBN will carry out the final commissioning and energisation of the proposed substation and transmission lines. Once energised the development will form part of the ESBN infrastructure which EirGrid will be responsible for operation. It is stated that the four transformers, single storey client control building and associated underground services, located in the eastern part of the compound will be constructed, fitted out and operated by the developer.

3.6. Site Ownership

3.6.1. Part of the access road and the park itself is owned by the IDA with a letter of consent attached to the application, with a letter of consent also attached from Amazon Data Services Ireland who own the site and are developing the permitted data centre.

4.0 Planning History

4.1. Ref: LB/191735 – Data Storage Building and associated development

Permission was granted by Meath County Council on 31st March 2020 for a data storage building including the following:

- Alterations to existing road infrastructure within the site and clearance of the site (including removal of existing internal roadways and removal of diversion of services) to make way for the proposed development.
- Construction of 2-storey data storage building with maximum overall height of c. 25m, containing data halls, associated electrical and AHU plant rooms, a loading bay, maintenance and storage space, office administration areas, screened plant and solar panels at roof level, all within a building with a total floor area of c. 28,573 sq.m.
- Emergency generators (26), emission stacks and associated plant provided in a fenced compound adjacent to data storage facility, along with a single emergency house supply generator.
- A 6MVA substation and associated 6MVA electricity connection.
- A water sprinkler pump room, MV building, unit substation, water storage tanks, humidifier tanks and diesel tanks and filling area.
- Modifications to existing entrance to subject site (from the estate road to the east), which will function as a secondary entrance providing for emergency and construction access. A new main entrance and access control point to the lands is proposed and a single storey gate house/ security building.
- Construction of internal road network and circulation areas, footpaths, provision of 50 car parking spaces and 26 cycle parking spaces within a bicycle shelter,
- Landscaping and planting (including the provision of an additional planted berm to the northern boundary, and alterations to existing landscaping adjacent to the entrance to the Business and Technology Park), boundary treatments, lighting, security fencing, bollards and camera poles, bin store, and all associated site

works including underground foul and storm water drainage network, attenuation areas, and utility cables, on an existing site area measuring 19.46 hectares.

It is noted that this application was accompanied by an EIAR and an EIA was carried out by the Planning Authority. Reference was made within the EIAR to the requirement for a separate future application for a substation and transmission line connection to serve the data storage facility development. The substation and transmission line development were cumulatively assessed within the EIAR and it was noted that any application for a substation and transmission line connection would be subject to a separate EIA process.

4.2. Wider IDA Business Park

A number of applications have been permitted within the park of which the following are noted:

4.2.1. Ref. P99/2466 – Permission for Access to the Business and Technology Park.

Permission granted for development consisting of a road entrance onto Drogheda to Donore Road for proposed future IDA Business Park which will be subject to a separate planning application.

4.2.2. Ref. 00/1642 – Parent Permission for Business and Technology Park.

Permission granted in December 2000 for development comprising site development works for the proposed IDA Drogheda Business Park inclusive of internal roads and access junction to Donore Road, sewers, water mains, pavements and related landscaping works.

4.2.3. Ref. SA/40383 – Office Development

Permission was granted in November 2004 for the construction of a 2203sq.m two storey office building with third storey plantroom, 10.120m in overall height, with associated access roads, car parking, hard and soft landscaping, amendments to previously approved estate road and ancillary infrastructure. This permission was amended by Ref. SA/50286 with SA/50502 granted in March 2006 issued in respect of additional car parking.

5.0 Planning Policy Context

5.1. National Policy Context

5.1.1. Ireland's Grid Development Strategy – Your Grid, Your Tomorrow, 2017

This provides a strategic overview for the development of the electricity transmission system. It confirms the need for investment in the electricity transmission system. All practical technology solutions will be considered with a strategy of optimising existing grid so as to minimise new grid infrastructure.

5.1.2. Project Ireland 2040 - National Planning Framework

While the proposed development comprises an electricity substation, the following provisions of the NPF are considered to be of relevance but there are others which also refer to the same context. National Strategic Outcome 5 seeks the development of a strong economy supported by enterprise, innovation and skills. It specifically states (pg. 144) in relation to digital and data innovation that:

"*Data innovation is recognised as important for future growth. Harnessing the potential of the data economy can bring considerable benefits in terms of productivity, new services and knowledge creation. It is also recognised that emerging disruptive technology and innovation has the potential to accelerate the delivery of NPF National Strategic Outcomes*".

In relation to Drogheda, the framework states that the key driver for the Louth/North-East area is the Dublin-Belfast cross-border network, focused on Drogheda, Dundalk and Newry. Key future planning and development and place-making policy priorities for the area include:

"A focused approach to compact, sequential and sustainable development of the larger urban areas along the Dublin – Belfast economic and transport corridor, along which there are settlements with significant populations such as Dundalk and Drogheda".

National Policy Objective 2b states that "*the regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and*

Drogheda-Dundalk-Newry cross-border networks will be identified and supported in the relevant Regional Spatial and Economic Strategy".

5.2. Regional Policy Context

5.2.1. Regional Spatial and Economic Strategy for Eastern and Midland Region – 2019-2031

Section 10.3 addresses energy where it is stated that "*a secure and resilient supply of energy is critical to a well-functioning region, being relied upon for heating, cooling, and to fuel transport, power industry, and generate electricity. With projected increases in population and economic growth, the demand for energy is set to increase in the coming years*".

It is further stated that "*developing the grid in the Region will enable the transmission system to safely accommodate more diverse power flows from renewable generation and also to facilitate future growth in electricity demand. These developments will strengthen the grid for all electricity users, and in doing so will improve the security and quality of supply. This is particularly important if the Region is to attract high technology industries that depend on a reliable, high quality, electricity supply*".

Regional Policy Objective 10.20 seeks to "*support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process*".

In relation to Drogheda, Section 6.4 of the Strategy outlines the region's economic engines and their sectoral opportunities. One such element is the Dublin Belfast Economic Corridor. RPO 6.3 supports "*the effective planning and development of large centres of population and employment along the main economic corridor, in particular Drogheda and Dundalk".* Drogheda is designated as a regional growth centre with the role of such centres within the RSES *"to serve as a focal point to gain critical mass and to deliver positive impacts to their surrounding areas and enhance*

overall regional and national growth (see Chapter 4 People and Place). A coordinated approach to infrastructure investment will be taken for the development of all urban centres and inter-connections in order to build greater levels of critical mass and to facilitate effective movement of goods and people internationally and nationally".

5.3. Local Planning Policy

5.3.1. Meath County Development Plan

The subject site is located mainly on lands zoned "E1 - strategic employment zones (high technology uses) – *to facilitate opportunities for high technology and major campus style office-based employment within high quality and accessible locations*." There is a strip of land between the M1 motorway and the western boundary of the business and technology park that is zoned "F1 – open space".

The core strategy envisions E1 zones as facilitating "*opportunities for high end, high value-added businesses and corporate headquarters. This adheres to the concept of 4th Generation Science & Technology Parks. It is envisaged that such locations are suitable for high density employment generating activity with associated commercial development located adjacent to or in close proximity to high frequency public transport corridors. This will apply to suitable lands in Navan, Drogheda and Dunboyne. The Maynooth Environs Local Area Plan also contains E1 zones"*.

The Drogheda Environs are designated as a Level 1 Large Growth Town in the settlement strategy.

Section 4.1.2 of the Plan refers to Economic Development in Drogheda & East Meath. The following economic development objectives for this area are noted:

- *To develop the Drogheda IDA Business Park (Donore Road) and adjoining lands identified employment uses which is identified as one of the five key strategic sites for employment generation in the Economic Development Strategy for County Meath. There is significant scope in the IDA Business Park for further expansion which will be prioritised by the Council in Chapter 4 Economic Development Strategy 61 conjunction with the IDA.*

- *To further develop the established key employment hub at Donore Road for ongoing intensification of development having regard to its proximity to the national road network and accessibility from the town centre and residential suburbs. The Donore Road area was recommended as the second employment hub to complement the town centre in the Planning Strategy for the Greater Drogheda Area;*

5.3.2. Chapter 8 relates to energy infrastructure and Section 8.1.2 relates specifically to electricity and gas networks. The following Policies are noted:

- **EC POL 1:** To facilitate energy infrastructure provision, including the development of renewable energy sources at suitable locations so as to provide for further physical and economic development of Meath.
- **EC POL 2:** To support international, national and county initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which makes use of the natural resources of the county in an environmentally acceptable manner, where it is consistent with proper planning and sustainable development of the area.
- **EC POL 3:** To encourage the production of energy from renewable sources, such as from biomass, waste material, solar, wave, hydro, geothermal and wind energy, subject to normal proper planning considerations, including in particular the potential impact on areas of environmental or landscape sensitivity and Natura 2000 sites.
- **EC POL 4:** To support the National Climate Change Strategy and, in general, to facilitate measures which seek to reduce emissions of greenhouse gases.
- **EC POL11:** To support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the County.
- **EC POL 12:** To co-operate and liaise with statutory and other energy providers in relation to power generation in order to ensure adequate power capacity for the existing and future needs of the County.

- **EC POL 13:** To ensure that energy transmission infrastructure follows best practice with regard to siting and design particularly to ensure the protection of all important recognised landscapes.

Objectives EC OBJ 1 to EC OBJ 4 are also noted.

Section 11.15.4 of the Development Management Guidelines & Standards deals with Energy Networks where it is proposed that the following issues will be taken into account:

- The development is required in order to facilitate the provision or retention of significant economic or social infrastructure;
- The route proposed has been identified with due consideration for social, environmental and cultural impacts;
- The design is such that will achieve least environmental impact consistent with not incurring excessive cost;
- Where impacts are inevitable, mitigation features have been included, Chapter 11 - Development Management Standards and Guidelines Meath County Development Plan 2013-2019 249
- Where it can be shown the proposed development is consistent with international best practice with regard to materials and technologies, that will ensure a safe, secure, reliable, economic and efficient and high-quality network and;
- Natura 2000 sites, proposed NHAs, areas of archaeological potential, landscapes of exceptional or high value, international or national importance and high sensitivity, proximity to structures that are listed for preservation, national monuments etc.

<u>Landscape Character</u>

Subject site lies within LCA 7 Coastal Plains abutting LCA 5 Boyne Valley.

5.3.3. **Draft Meath County Development Plan 2021-2027**

It is anticipated that this Plan will be adopted in Q3 of 2021. The zoning of the subject site remains the same. STH DRO OBJ 2 seeks to *"support the sustainable development of existing zoned lands in the Southern Environs of Drogheda with a*

particular emphasis on the promotion of the IDA Business Park as a location for strategic economic investment and the creation of compact, residential communities in key locations in proximity to established residential areas and transport hubs". Chapter 4 of the Draft Plan outlines the economy and employment strategy for the Plan. Chapter 6 provides the Infrastructure Strategy with Energy addressed at Section 6.15 and Energy Networks Infrastructure at 6.15.4.

5.3.4. **Local Area Plan for the Southern Environs of Drogheda 2009-2015**

In relation to economic development, section 5.9 of the Plan notes that the *"Donore Road is identified as a key employment hub for ongoing intensification of development – close to the national road network yet readily accessible from the town centre and residential suburbs. There is significant scope in the IDA Business Park for further expansion. The Donore Road area was recommended as the second employment hub to complement the town centre in the Planning Strategy for the Greater Drogheda Area*". The Development Framework identifies a number of character areas within the town which include the Donore Road area (Section 6.3) within which the site is situate. Policy objectives include: DRA1 which states that "*it is a key objective of the Local Area Plan to maintain the Donore Road Area as a key employment hub for the town of Drogheda".*

6.0 EIA Screening

6.1. The proposed development of a 110kV GIS substation and associated elements and dropdown transmission lines and associated elements would not come within the projects outlined within either Annex I or Annex II to Directive 2011/92/EU as amended by 2014/52/EU nor is it a class as set out in either Part 1 or Part 2 of Schedule 5 (Planning and Development Regulations 2001, as amended) and therefore a mandatory EIAR is not required. I note that section 1.2.1 of the EIAR outlines that rationale for the submission of an EIAR where it is stated that the project exceeds the threshold for industrial estate development projects where the area would exceed 15 hectares as set out in Class 10(a) of Part 2 of Schedule 5. It is stated that as the proposal is required to provide the permanent power supply for the permitted data storage facility. While as noted at Section 2 above, the area of the application site is 3.077 hectares, the area of the overall development stated in the

permission for the data centre development was 19.46 hectares. I would note that an EIAR was submitted in respect of the data centre development and it was outlined that any future application for the substation and associated transmission lines would also be accompanied by an EIAR. An EIA is undertaken at Section 15 of this report.

7.0 Observations

7.1. No observations were received.

8.0 Prescribed Bodies

Two submissions were received from the following prescribed bodies which are summarised as follows:

8.1. Transport Infrastructure Ireland

- Notes site is located adjacent to M1 national road corridor which is part of the EU TEN-T Core Network.
- TEN-T define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport in a co-ordinated fashion to achieve integrated and intermodal long-distance travel routes across Europe.
- Section 8.3 'Working Together for Economic Advantage' of the National Planning Framework addresses importance of the Dublin-Belfast Economic Corridor and advises of a focus on developing the corridor as a distinct spatial area with international visibility by inter alia:
    - Improving and protecting key transport corridors such as the TEN-T network and strategic function of the Dublin-Belfast road network from unnecessary development and sprawl.
- Noted subject site adjoins but does not appear to encroach on the M1 National road corridor and therefore there are no national road interactions to address and TII has no specific observations on proposed development.

8.2. **Irish Aviation Authority**

No observations on the application

9.0 Planning Authority

The report, which was received on 4 February 2021, was prepared in accordance with Section 37(E)(4) of Planning and Development Act 2000, as amended, and is summarised under the following headings:

Overview

- Planning history, site location and description of the lands and a detailed description of the proposed development are outlined (see sections 4 above).

Planning Policy

- National Enterprise Policy is outlined including reference to the following:
    - Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy Department of Business, Enterprise and Innovation, 2018.
    - Action Plan for Jobs, Department of Jobs, Enterprise and Innovation, 2018.
    - IDA Ireland Winning: Foreign Direct Investment, 2015-2019
- A detailed review of planning policy (see section 5 above) is provided in respect of National Planning Policy and Regional Policy.
- A detailed outline of local planning policy including the current Meath County Development Plan, the Draft Meath County Development Plan 2021-2027 and the LAP for the Southern Environs of Drogheda is provided (see section 5 above).
- Reference is made to the Economic Strategy for County Meath (2014-2022) which promotes 5 key strategic sites across the County, one of which is the IDA Business Park.
- The Meath Climate Action Strategy (2019) includes three relevant targets including reducing emissions by 33% in 2020, reducing CO2 emissions by at

least 40% by 2030 and increasing resilience by adapting to impacts of climate change.

EIAR & AASR

- The format of the EIAR is outlined with a summary of the content of the EIAR Chapters on each of the environmental factors and consideration of alternatives is provided.
- The AA Screening report is summarised with the conclusions noted.

Planning Assessment

- Proposal is a small but very necessary part of a much larger permitted development.
- Site is strategically located in an urban area on lands zoned for employment uses with proposed development appropriate and in accordance with zoning.
- Dropdown option for 110kV route was selected to avoid need to horizontal drill across the Boyne and considered acceptable.
- Limited impact on residential areas and office block to east with implementation of CEMP key requirement.
- Excavation and infilling required with implementation of CEMP key requirement with fuel areas to be bunded.
- Surface water drainage proposal acceptable with condition requiring compliance with GDSDS.
- Site in Flood Zone C with stage 1 FRA undertaken with negligible risk of flooding and flood risk appropriately addressed.
- No evidence of bats, badgers or otter on site and potential for site to act as feeding ground for birds using coastal SPA not considered likely with site of low ecological value.
- Significant effects on Natura 2000 sites can be ruled out.
- Implementation of appropriate dust control measures considered sufficient to control dust and particulate matter emissions with no significant effect.
- Climatic impacts of operational phase not expected to be significant.

- Noise mitigation acceptable.
- Application site subject of significant archaeological investigations since establishment of the IDA park in 2002 with mitigation proposed by way of further testing with Conservation Officer requesting a condition is attached and overall potential impacts considered to be satisfactorily addressed.
- Overall impact on character of landscape limited, note report and concerns of Conservation Officer (below) but note overhead lines already on site and most significant landscape implications occur within the site and c.1km of the site and not within wider area with development resulting in a significant localised landscape change. Landscape character area must be considered in context of sites location when considered in context of what is considered sensitive in the LCA. Existing landscape contains existing industrial development with development extending the existing, long established urban landscape at this location with such a change envisaged by the zoning with proposal acceptable from landscape and visual perspective.
- Impact on wider traffic network imperceptible with report from Transport Section detailed below under internal referrals.
- Management of waste in accordance with relevant legislation acceptable to PA.
- Cumulative impacts on material assets considered to be insignificant.
- Concurs with conclusion on interactions.

Conclusions & Recommendation

- Lands appropriately zoned to accommodate proposal and historically earmarked for economic development potential due to strategic location.
- PA fully assessed data centre proposal and satisfied that proposal accords with primary site zoning objectives, assimilates well into surrounding environment and traffic form environmental and traffic perspective.
- Proposed development supports the economic investment in data centre development.

- Based on examination of EIAR and documents carried out by MCC in context of National, Regional and local planning policy report recommending that permission is granted.

Schedule of Conditions

MCC consider if Board intends to look positively upon application following conditions should be attached:

- Development levels are not applicable in accordance with current contribution scheme for MCC (2016-2021)
- Development to be carried out in accordance with Plans and Particulars
- Mitigation measures in EIAR to be implemented.
- Landscaping requirements.
- Drainage to be carried out in compliance with GDSDS.
- Noise levels for construction and operational phases.
- Protocol for reporting and managing accidental spillages.
- Waste recovery and disposal
- Detailed Construction Environmental Management Plan and Environmental Emergency Response Plan.
- Transport mitigation measures, construction traffic management plan and lighting of internal road layout.
- Archaeological mitigation measures to be implemented in fill and report furnished to PA upon completion.

Internal Referrals – Appendix 1 of Report

<u>Transportation Department</u>

- Outlines site description, site access arrangements, the junctions considered in the traffic impact assessment, predicted impacts of proposal, auto tracking assessment and car parking provision,

- No objection subject to conditions requiring implementation of remedial and mitigation measures in Section 13.19 of the EIAR and agreement on Construction Stage Traffic Management Plan prior to commencement of development.

Conservation Officer

- Noted site is adjacent to Bru na Boinne Buffer Zone, Oldbridge Estate with number of recorded National monuments in vicinity as is protected view 61 (hill at graveyard at Sheephouse.
- As per previous report on data centre development, support structure and associated masts (tower 1 7 2) are too high and should be reduced in size.
- Business park has capacity to take two/three storey height building and what is being proposed is equivalent of 8 storeys.
- Protected view 61 negatively affected by proposal with views north of Drogheda looking south negatively affected as building sits on a ridge in the landscape.
- Request further information in respect of reduced in height of any proposal in the Busines Park site to two storeys in height (10 metres) and no visual impact assessment provided.
- Due to sensitive nature of site and surrounding area request condition attached as recommended by National Monuments Service requiring archaeological pre-site testing and on-sire monitoring.
- Policies in Meath County Development outlined.

Water Services

- Surface Water Treatment and Disposal – development broadly meets MCC Water Services Section in relation to orderly collection, treatment and disposal of surface water.
- Condition Recommended that work will comply with the Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Volume 2 for New Developments.

Public Lighting Department

- Condition that any lighting of internal road layout and car parking be designed and installed as per 'Meath County Councils: Public Lighting Technical Specification and Requirements' document.

Views of the Members of Meath County Council

The proposed development was raised at the meeting on 1 February 2021 with a presentation made to the Council (attached as Appendix 2 of report) and the comments/views of members are summarised as follows:

- Support the application;
- Ask ABP to ensure a community benefit fund is conditioned;
- Ask that development is screened to protect the views from River Boyne;
- Development should be incorporated into the landscape so that it compliments its surroundings.

10.0 Oral Hearing

10.1. The Board directed on the 8th February 2021 that an Oral Hearing in respect of the application should not be held. It was decided to provide the applicant with an opportunity to respond to the Planning Authority report and the submissions received from the prescribed bodies. This is summarised in the next section.

11.0 Response from Applicant to Chief Exec. Report/Submission

11.1. A response was received from the applicant dated 3 March 2021 and is summarised as follows:

IAA Submission

- No specific response on submission as they have no observations.

TII Submission

- Content of submission noted and as no specific observations made, no specific response warranted.

Chief Executive's Report

- Concur with review of planning policy context noting strong support for proposal at national, regional and local levels.
- Comprehensive summary and analysis of EIAR provided and concur with conclusions reached on same.

In relation to Conservation Officers Report the following is noted:

- In response to assertion that the proposed dropdown masts are too high and should be reduced in size, it is noted that these dropdown masts reflect the height and design necessary to safely provide a dropdown electrical connection from the existing overhead lines traversing the application site with height of these masts necessitated based on the height of the existing overhead transmission lines traversing the site and a reduced mast height would not allow for a connection to these existing overhead lines.
- Dropdown masts proposed represent the standard design used for Line / Cable interfaces at this voltage throughout the State and are modest in scale relative to typical mast installations, and at 16 metres, they are only 1 metre higher than the proposed Gas Insulated Switchgear substation building.
- Height of the proposed masts at 16 metres is not significant, and the visual impact of the development as a whole (masts included) has been thoroughly addressed within the landscape and visual impact assessment forming Chapter 12 of the EIAR submitted, which does not identify any significant impact arising from the proposed development, either during the construction or operational phases of the development.
- In relation to the height of the Proposed Buildings the reference to the buildings being the equivalent of eight storeys in height is not the case with the highest building proposed, the Gas Insulated Switchgear (GIS) substation building, with an overall height of c. 15 metres, comprising two storeys internally with the height of the proposed substation building is required for the operation of the electrical equipment which it will accommodate.
- The building is executed in good quality materials and will be screened by planted berms to the north east and west. The proposed buildings are also

addressed in terms of their visual impact within Chapter 12 of the EIAR submitted.

- In terms of impact on views, the visual impact assessment included as part of the EIAR sets out that the impact on the view from the Graveyard at Sheephouse will be not significant and neutral during the construction stage, and slight and negative during the operational stage of the proposed development, with the landscape and visual impact assessment noting that the scale of the proposed substation and dropdown masts is far lesser than the permitted data storage facility building which is now under construction on adjoining lands within the same landholding.
- The landscape and visual impact assessment submitted also provides a comprehensive assessment of views from the north of the site and north Drogheda.
- No significant negative landscape and visual impact has been identified.
- In relation to the suggestion that the proposed masts should be reduced in height to c. 10 metres, it is noted that this would not be technically feasible and would not allow for a safe connection of the required standard to the existing overhead lines traversing the site.
- The contention that no visual impact assessment was submitted is incorrect, and Board are referred to Chapter 12 of the EIAR submitted, which comprises a full landscape and visual impact assessment (LVIA) prepared by Brady Shipman Martin Landscape Architects.
- In relation to the suggestion that a condition should be applied to require archaeological testing on site, it is noted that a comprehensive programme of archaeological excavation has now been completed on the subject site and the wider landholding, pursuant to the conditions of extant permission Ref.: LB191735.

In terms of the Planning Assessment the following is noted:

- Generally, welcomes the planning assessment provided within the Chief Executive's report, along with the ultimate recommendation of the report that permission be granted for the proposed development.

- Clarification required on several points of detail in section relating to Appropriate Assessment where it is stated that the AASR and *EIAR outline a significant number of measures incorporated within the project design / plan to avoid any likely significant impacts on the qualifying interests of Natura 2000 sites either alone or in combination with other plans or projects* and that *given the location of the proposed development in relation to Natura 2000 sites, the absence of a hydrological link to the River Boyne, and based on the measures incorporated with the proposed project design / plan, significant impacts can be ruled out".*
- While noted that the Board are the competent authority for the carrying out of a Screening for Appropriate Assessment, the Appropriate Assessment Screening Report did not contain any protective/mitigation measures for the purpose of avoiding impacts on European Sites with the conclusion within the AA Screening Report that the proposed development would not have any significant effects on European Sites was arrived at in the absence of any mitigation.

12.0 **Format of Assessment**

12.1. Having regard to the requirements of the Planning and Development Act 2000, as amended, there are three parts to my assessment: planning assessment, appropriate assessment screening and environmental impact assessment. There is an inevitable degree of overlap between the assessments, particularly between the planning assessment and the environmental impact assessment. In the interests of brevity, I have sought to avoid undue repetition where possible, instead indicating where overlaps occur.

13.0 **Planning Assessment**

13.1. **Introduction**

13.1.1. As outlined in Section 7 above, no observations were made to the Board in respect of the proposed development. In this regard, I consider that the key planning issues arising are as follows:

- Principle and Planning Policy.
- Visual Amenity
- Archaeological Heritage
- Other Matters

13.1.2. An Appropriate Assessment Screening is undertaken at Section 14 below. An Environmental Impact Assessment is undertaken at Section 15.

13.2. Principle and Planning Policy

13.2.1. Principle - Zoning

In relation to the principle of the development, I would refer to the zoning of the site wherein, the subject site is located mainly on lands zoned "E1 - strategic employment zones (high technology uses) the objective of which is "*to facilitate opportunities for high technology and major campus style office-based employment within high quality and accessible locations*." Public services are a permitted use within this zone. The proposed GIS substation would be an appropriate use on such lands given the requirement to supply the high technology uses with an electricity supply. The western boundary of the site is zoned "F1 – open space". This area comprises a landscaped embankment adjoining the M1 providing a buffer between the motorway and the development on these lands. The two dropdown locations for connection to the existing 110kV line which runs north south adjoining the lands are located within this F1 zone. Public services are permitted in principle within this zone and I consider that the provision of this electrical infrastructure is appropriate on these lands particularly as the existing 110kV line already traverses same.

The core strategy of the Plan envisions E1 zones as facilitating "*opportunities for high end, high value-added businesses and corporate headquarters. This adheres to the concept of 4th Generation Science & Technology Parks. It is envisaged that such locations are suitable for high density employment generating activity with associated commercial development located adjacent to or in close proximity to high frequency public transport corridor".* In this regard, the Economic Strategy for County Meath (2014-2022) promotes 5 key strategic sites across the County, one of which is

the IDA Business Park within which the subject site is located. The proposed development is therefore in compliance with the zoning objectives pertaining on site.

13.2.2. **Planning Policy**

While there are National and Regional policies in relation to data centre developments, which I outline in Section 5.1 and I note are referenced by the Planning Authority in their submission, I do not intend to address these in this assessment as the subject application, while related to the data centre development being constructed on the overall site, is for a GIS substation and transmission lines. They were provided in Section 5 above for reference purposes.

In relation to the electricity network, I would refer to the strategy entitled Ireland's Grid Development Strategy – Your Grid, Your Tomorrow, 2017 which provides a strategic overview for the development of the electricity transmission system and confirms the need for investment in the electricity transmission system. The subject proposal will add to the electricity infrastructure in the area becoming a node on the Grid.

Furthermore, Section 10.3 of the RSES addresses energy where it is stated that "*a secure and resilient supply of energy is critical to a well-functioning region, being relied upon for heating, cooling, and to fuel transport, power industry, and generate electricity. With projected increases in population and economic growth, the demand for energy is set to increase in the coming years*". It is further stated that "*developing the grid in the Region will enable the transmission system to safely accommodate more diverse power flows from renewable generation and also to facilitate future growth in electricity demand. These developments will strengthen the grid for all electricity users, and in doing so will improve the security and quality of supply. This is particularly important if the Region is to attract high technology industries that depend on a reliable, high quality, electricity supply*". Regional Policy Objective 10.20 seeks to "*support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and*

timely manner subject to appropriate environmental assessment and the planning process". The subject proposal would comply with these policy objectives by facilitating the delivery of development on the lands, improving the local electricity infrastructure and creating a new node on the Grid.

At a local level, in relation to energy infrastructure, Section 8.1.2 of the County Plan relates specifically to electricity and gas networks. I consider that the proposal complies with EC POL 1 which seeks to facilitate energy infrastructure provision so as to provide for further physical and economic development within County Meath and EC POL11 which seeks to support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the County.

13.2.3. **Conclusion**

It is clear from the above that there is substantial policy support at national, regional and local level for the development of the electricity network, such as that which would be facilitated by the proposed development. I therefore consider the proposed development to be acceptable in principle, subject to consideration of the key planning issues outlined in the following sections of this assessment.

13.3. **Visual Amenity**

13.3.1. Firstly, I would note that I address landscape and visual impact in the context of environmental effects at Section 15.10 of the EIA below. I would however note that the proposed development involves the development of a fenced substation compound effectively divided into two areas with the GIS substation to the west of an internal cul-de-sac and the four transformers and the client control building to the east. The GIS building is a two-storey structure which has a ground floor area of 1,447 sq.m and is 15 metres in height. The client control building is a smaller structure at 432 sq.m and 6 metres in height. The other elements of the structure of any height are the two dropdown masts which are 16 metres in height and the associated transmission lines to connect the proposed development to the existing 110kV transmission line to the west of the site.

13.3.2. I would note the comments of the Planning Authority in relation to visual amenity where they consider that the overall impact on the character of landscape is limited. They also note the report and the concerns expressed by the Conservation Officer. The Conservation Officer outlines the proximity of the site to the Bru na Boinne Buffer Zone and the Oldbridge Estate and notes that there are a number of recorded National monuments in the vicinity of the site, as is protected view 61 (hill at graveyard at Sheephouse). Reference is made to the previous report on the data centre development where the CO stated that the support structure and associated masts were too high and should be reduced in size. He considers that the Business Park has the capacity to take two/three storey height buildings and what is being proposed is equivalent of 8 storeys. It is felt that protected view 61 will be negatively affected by the proposal with views north of Drogheda looking south negatively affected as the building sits on a ridge in the landscape. It is suggested that further information is requested seeking that the proposal (and other development in the Business Park) is reduced to two storeys in height (10 metres). I would note that no reference is made by the Conservation Officer to the Landscape and Visual Assessment or Cultural Heritage Assessment contained in the EIAR which I address in the EIA below.

13.3.3. The applicant's response to the Conservation Officers report notes a number of matters of importance. In response to the assertion that the proposed dropdown masts are too high and should be reduced in size, it is noted that these dropdown masts reflect the height and design necessary to safely provide a dropdown electrical connection from the existing overhead lines traversing the application site. The height of these masts is necessitated by the height of the existing overhead transmission lines traversing the site and a reduced mast height would not allow for a connection to these existing overhead lines. It is asserted that the height of the proposed masts at 16 metres is not significant, and the visual impact of the development as a whole (masts included) has been thoroughly addressed within the landscape and visual impact assessment in the EIAR, which does not identify any significant impact arising from the proposed development, either during the construction or operational phases of the development. In relation to the suggestion that the proposed masts should be reduced in height to c. 10 metres, for the reasons outlined in the foregoing, this would not be technically feasible, and would not allow

for a safe connection of the required standard to the existing overhead lines traversing the site. I consider that the rationale provided for same is reasonable.

13.3.4. In relation to the height of the proposed buildings, it is outlined that the reference to the buildings being the equivalent of eight storeys in height is not the case with the highest building proposed, the Gas Insulated Switchgear (GIS) substation building, with an overall height of c. 15 metres, comprising two storeys internally with the height of the proposed substation building required for the operation of the electrical equipment which it will accommodate. I consider that this is reasonable. The applicant states that the building is executed in good quality materials and will be screened by planted berms to the north east and west. The proposed buildings are also addressed in terms of their visual impact in the EIAR.

13.3.5. In terms of impact on views, the visual impact assessment included as part of the EIAR sets out that the impact on the view from the Graveyard at Sheephouse (view No. 9) will be not significant and neutral during the construction stage, and slight and negative during the operational stage of the proposed development, with the landscape and visual impact assessment noting that the scale of the proposed substation and dropdown masts is far less than the permitted data storage facility building which is now under construction on adjoining lands within the same landholding. The applicant considers that the landscape and visual impact assessment submitted provides a comprehensive assessment of views from the north of the site and north Drogheda and that no significant negative landscape and visual impact has been identified. As noted above, I address the matter of landscape and visual impact in the EIA below.

13.3.6. The applicant contends that the statement by the Conservation Officer that no visual impact assessment was submitted is incorrect with the Board referred to Chapter 12 of the EIAR submitted, which comprises a full landscape and visual impact assessment (LVIA) prepared by Brady Shipman Martin Landscape Architects. As I note above, I address this matter specifically in the EIA below but I agree with the applicant that the matter has been satisfactorily addressed.

13.3.7. While I acknowledge the concerns expressed, in relation to the height of the substation and the mast and transmission lines proposed I do not support the view of the Conservation Officer that the site cannot accommodate the height proposed, as

is evidenced by the data centre element of the overall development which is nearing completion on the site. The Planning Authority consider that the landscape character area must be considered in the context of sites location with the existing landscape comprising existing industrial development with the proposed development extending the existing, long established urban landscape at this location with such a change envisaged by the zoning with proposal acceptable from landscape and visual perspective. I consider that this is a very reasonable outlook on the character of this area which is an element of the envisioned IDA Business Park and which is confined by the M1 to the west.

13.3.8. In relation to the masts and transmission lines, I would concur with the Planning Authority that the overhead lines already on site with an existing mast adjoining the northern boundary of the sites. I also consider that the technical matters requiring the specific height of the masts and Substation building are material considerations and in this regard there is adequate justification for the height proposed. I would agree that the most significant landscape implications occur within the site and c.1km of the site and not within the wider area with the development resulting in a significant localised landscape change. I consider that the proposed development is acceptable in the context of the visual amenity of the area.

13.4. Archaeological Heritage

13.4.1. While I address Cultural Heritage in Section 15.9 of the EIA below, I would note that the Conservation Officer recommended that due to the sensitive nature of the site and the surrounding area that a condition should be attached as recommended by National Monuments Service requiring archaeological pre-site testing and on-sire monitoring. While I consider that this is reasonable, I would also note that a comprehensive programme of archaeological excavation commenced on the overall site as per the requirements of Ref. LB/191735. In response to the planning report, the applicant notes that a comprehensive programme of archaeological excavation has now been completed on the subject site and the wider landholding, pursuant to the conditions of extant permission Ref.: LB191735. This is outlined in more detail in Section 15.9 below.

13.5. **Other Matters**

13.5.1. Drainage and Water Services

The application is accompanied by an Engineering Report which addresses drainage and water services. I note that the proposal will effectively comprise part of the wider development site which is currently under construction and the site services complement same. I consider that the matters outlined in the Engineering Report are satisfactory and I would note the comments of the Water Services Department of Meath County Council where it is stated that the Surface Water Treatment and Disposal proposals broadly meet their requirements in relation to orderly collection, treatment and disposal of surface water. They recommend that a condition is attached which seeks that the work will comply with the Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Volume 2 for New Developments. I would also note that comments from the Public Lighting Department of the Local Authority which recommend that it is conditioned that any lighting of internal road layout and car parking be designed and installed as per 'Meath County Councils: Public Lighting Technical Specification and Requirements' document.

13.5.2. Construction and Environmental Management Plan (CEMP)

The application documentation includes an outline CEMP prepared by Clifton Scannell Emerson which addresses excavation, site logistics and construction traffic and site access in addition to safety, health and environmental considerations during the construction works. Construction traffic and site access is addressed in Section 6 of the outline CEMP. I note that the Transportation Section of the Local Authority have no objection to the proposal but seek that conditions are attached which require the implementation of remedial and mitigation measures set out in Section 13.19 of the EIAR and an agreement on Construction Stage Traffic Management Plan prior to commencement of development. I would recommend to the Board that a condition is attached seeking a comprehensive CEMP which incorporates a more detailed plan for Construction Stage Traffic Management.

13.5.3. Development Contributions

The Planning Authority, in their submission to the Board, state that no development contribution is payable as per the current Development Contribution Scheme. This is noted and I would recommend to the Board that a development contribution condition is not attached to any grant of permission.

13.5.4. Community Fund

The Elected Members asked that the Board ensure that a community benefit fund be conditioned as part of any grant of permission. This application relates to a substation and associated development required to connect a data centre to the transmission network. Once energised, the proposed Substation building and the dropdown connection masts, droppers, and underground transmission lines connecting to the proposed Substation will from part of the ESBN infrastructure, which EirGrid will be responsible for operating. The proposal will therefore comprise a node on the transmission network supporting the electricity infrastructure in the area and by itself a benefit to the wider community in reinforcing the electricity network. Therefore, given its intrinsic value to the local electricity network and its limited scale I do not consider it appropriate to attach a condition requiring the establishment of a community benefit fund.

14.0 Appropriate Assessment Screening

14.1. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

14.2. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site in view of the conservation objectives of those sites.

14.2.1. An AA screening report, prepared by Moore Group Environmental Services and dated October 2020, was submitted with the application and is included as Appendix 8.1 of the EIAR. The screening report identifies the Natura sites (Fig. 4-1) (and other NHA's and pNHA's) located within 15km of the site, of which there are six, and outlines the context within which the sites are located vis a vis the subject site noting

that given the absence of hydrological links/connectivity that there are no predicted effects on any European site.

14.2.2. To this end, I have undertaken a search of all sites within approximately 15km catchment, as proposed by the applicant and which I consider appropriate given the context of the site.

European site (SAC/SPA)	Site Code	Distance	Pathway
River Boyne And River Blackwater cSAC	002299	1km	No
River Boyne And River Blackwater SPA	004232	1.3km	No
Boyne Coast and Estuary cSAC	001957	5.1km	No
Boyne Estuary SPA	004080	4km	No
River Nanny Estuary and Shore SPA	004232	8.4km	No
Clogher Head SAC	001459	13.35km	No

14.2.3. As outlined, none of the sites outlined above have a direct pathway to or from the proposed development site. I would concur with the applicants Screening Report that they do not require further consideration. I also note in the Screening Report that the application site does not itself support any habitat which might be used by any species listed as a special conservation interest. This is supported by the findings in the EIAR in relation to biodiversity. I also note the statement in the AASR that the level of development recorded during fieldwork at the site and the distance from the coastal SPAs do not present opportunities to support the bird species (predominantly waders) for which the Boyne Estuary SPA (c. 4km) and River Nanny Estuary and Shore SPA (8.4km) are designated. I consider that this is reasonable.

14.2.4. As noted above there are no pathways to proximate designated sites within the zone of influence which provides that there are no direct or indirect effects that would be likely to have significant effects on any Natura 2000 sites in view of the sites' conservation objectives. Furthermore, the screening report does not refer to

mitigation measures. I note the response from the applicant to the Chief Executive's report and concur with them that the Screening Report does not contain protective/mitigation measures for the purposes of protecting the conservation objectives of any nearby European sites. I note that Section 5.2 of the AASR addresses potential in-combination effects and outlines a large number of recent extant permissions or current applications in both Meath and Louth County Council areas. I concur with the conclusion that significant effects in-combination with same can be excluded given that the proposed development itself will not have significant effects.

14.2.5. Therefore, the development would not be likely to have any significant effects on any Natura 2000 site, either directly or indirectly. This conclusion is consistent with the appropriate assessment screening report submitted with the application. Similarly, there are no direct or indirect effects that would be likely to have significant effects on any Natura 2000 site in combination with any other plan or project.

14.2.6. Having regard to the nature and scale of the proposed development, the absence of pathways, the nature of the receiving environment and distance to the nearest European site it is reasonable to conclude that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on the following European sites: the River Boyne & River Blackwater SAC [002299]; River Boyne and Blackwater SPA [004232], the Boyne Estuary SPA [004080], Boyne Coast and Estuary SAC [001957] , the River Nanny Estuary and Shore SPA [004158] and Clogher Head SAC [001459] or any other European site, in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is not therefore required.

14.2.7. Measures intended to reduce or avoid significant effects have not been considered in the screening process.

15.0 Environmental Impact Assessment

15.1. Introduction and Legislative Provision

15.1.1. This application was submitted to the Board after 1st September 2018 and therefore after the commencement of the European Union (Planning and Development)

(Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

15.1.2. The EIAR is laid out in two documents. The non-technical summary is provided as a separate short document. The main document is in one volume with the appendices related to each Chapter included within same. A description of the proposed development is provided at Chapter 2 which includes the construction of the proposed development. Major Accidents /Disasters is addressed in Section 2.7 of the EIAR. The planning and development context is outlined in Chapter 3 which includes the planning history relevant to the subject site and also a planning search of applications within the Meath administrative area (Appendix 3.1) and Louth administrative area (Appendix 3.2) which include extant and current applications comprising all types of development. These have been addressed in Sections 3 & 5 respectively, above. Alternatives have been considered in Chapter 4 of the EIAR.

15.1.3. The likely significant direct and indirect effects are considered under the following headings, after those set out in Article 3 of the Directive from Chapter 5-16 as follows:

- Human Health and Population
- Land, Soils, Geology and Hydrogeology
- Hydrology
- Biodiversity
- Air Quality and Climate Change
- Noise and Vibration
- Landscape and Visual
- Archaeological, Architectural and Cultural Heritage
- Traffic and Transportation
- Material Assets
- Waste Management

15.1.4. For the Boards information, a schedule of the mitigation measures proposed is included as Appendix 1.1 of the EIAR rather than at the end of the document.

15.1.5. Cumulative Impacts for each environmental topic are addressed both within each Chapter of the EIAR and in a separate Chapter (Chapter 16). I propose to address cumulative impacts within each environmental factor rather than separately for ease of reference. Interactions between environmental factors is addressed in Chapter 17 and within some chapters but similar to the consideration of cumulative impacts, I proposed to address this matter within each environmental factor.

15.1.6. I am satisfied that the information contained in the EIAR has been prepared by competent experts and generally complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014.

15.1.7. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the prescribed bodies and planning authority has been set out at Sections 8 & 9 of this report and include matters relevant to the EIA. The relevant issues raised are addressed below under the relevant headings, and as appropriate in the reasoned conclusion and recommendation including conditions.

15.1.8. 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 developer, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended.

15.2. **Alternatives**

15.2.1. Chapter 2 of the EIAR addresses the alternatives considered. I note that Article 5(1)(d) of the 2014 EIA Directive requires:

"(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;"

15.2.2. Annex IV of the Directive (Information for the EIAR) provides more detail on 'reasonable alternatives':

"A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects."

15.2.3. The EIAR describes the alternatives that were considered under the headings of 'do nothing' alternative, alternative project locations, alternative designs/layouts, alternative processes and alternative mitigation measures.

15.2.4. Having regard to the purpose of the proposed development, which is required to connect a permitted data centre to the transmission network via a loop-in loop-out substation, which will be a node on the transmission network, I consider that the alternatives are limited. In relation to the do nothing alternative, the development of data storage facilities on the site, as planned, would not proceed due to an inadequate permanent power supply.

15.2.5. The substation is required to be close to the transmission line and close to the data centre facility, and the technology, layout and nature of the substation compound and electrical connection is relatively standard for such transmission projects. Reasonable alternatives are generally, in situations such as the proposed development, limited to alternative locations within the site and alternative mitigation measures. In relation to alternative project locations, scale and size I note that the proposal is designed to comply with the functional specification provided by EirGrid and as required by their connection agreement with the scale and size determined by same. It is stated that six bays are required to service the Data Centre development permitted and the indicative future masterplan development, as outlined in the masterplan (figure 2.2 of EIAR) and EirGrid require two additional bays as part of their specification.

15.2.6. The proposed location of the substation was chosen with respect to the overall future indicative Masterplan for the data storage facility site with the location deemed to be the most logical location on the site for such a development and when considered in the context of the proposed grid route options outlined in Figure 4.1, it is clear that

the most appropriate location adjoining the existing transmission network was chosen. The EIAR provides an assessment of the potential environmental effects for the route options at Table 4.1. In relation to alternative mitigation measures, it is stated that the most suitable mitigation measures were considered on basis of relevant guidance and legislation and this is reasonable.

15.2.7. Having regard to the requirement to consider reasonable alternatives and its purpose (i.e. avoidance of significant environmental effects) and noting the nature and purpose of the proposed development, I am satisfied that the consideration of alternatives is adequate.

Assessment of Likely Significant Direct and Indirect Effects

15.3. **Population and Human Health (Human Health and Population)**

Human health and population are considered in chapter 5 of the EIAR. The methodology of the assessment is presented, with the receiving environment and study area outlined, noting that the population of the wider Drogheda area is experiencing an increase. I would note that reference is made to the current greenfield nature of the site, although it is currently surrounded by the construction works related to the data centre facility to the south. The nearest residential noise sensitive locations are located c. 200m east of the site, in the Cedarwood residential development.

Potential Impacts: In terms of potential impacts on this factor, the EIAR presents them under a number of headings some of which overlap, I will outline the relevant potential impacts as follows: Slight positive impact on local business activity during the construction phase with c.30 construction workers but only 2 when operational so less impact. Slight negative impact on local residential population and on human health from construction related impacts of noise and short term imperceptible on human health from air pollutants.

Unplanned Events/Impacts on Health and Safety: I address major accidents/disasters at Section 15.6 of the EIAR below I note that it is outlined that the proposal has the potential for an impact on the health and safety of workers employed on the site, particularly during the construction phase. It is stated that the

activities of contractors during the construction phase will be carried out in accordance with the Safety, Health and Welfare at Work (Construction) Regulations 2013 (S.I. No. 291 of 2013) as amended to minimise the likelihood of any impacts on worker's health and safety.

Mitigation Measures: Mitigation measures in respect of the related factors of air, noise, and traffic during construction are outlined in the individual chapters and within Appendix 1.1 of the EIAR. This will be considered in the relevant chapters in the following sections.

Residual Impacts: positive long term on immediate area by providing an adequate electricity supply which could facilitate future employment opportunities. This is reasonable.

Cumulative Impacts: while it is stated that Chapter 16 of the EIAR provides a full assessment of cumulative impacts, Section 5.10 notes that the permitted data centre development and proposed substation will create 52 full time jobs, the predicted cumulative noise emissions from the proposal and permitted and future data centre buildings are within noise limit values and will be compliant with air quality limit values. As noted above, the consideration of cumulative impacts in the EIAR includes a wide range of extant and current applications within both the Meath and Louth administrative areas most of which are small scale and therefore are not of relevance in the context of the proposed development and the wider data centre. I would concur with the applicant's conclusion that once appropriate mitigation measures are in place any cumulative impacts on population and human health will be positive and long-term and ranging from imperceptible to slight.

Potential interactions: The EIAR outlines that potential neutral impacts would arise in respect of this factor and the following: land, soils, geology and hydrogeology; hydrology; air quality and climate; noise and vibration; material assets. The rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on population and human health would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed

development would not have any unacceptable direct, indirect or cumulative effects on population or human health.

15.4. Land, Soils, Geology and Hydrogeology

Land, soils, geology and hydrogeology are considered in chapter 6 of the EIAR with hydrology addressed separately in Chapter 7 of the EIAR and Section 15.5 of this EIA below. The methodology of the assessment is presented, with the receiving environment including areas of geological interest and regional soils, geology and hydrogeology outlined. Borehole logs investigations and lab results are attached as Appendix 6.2 as is a site investigation report (IGSL) dated June 2020. The type of geological/hydrogeological environment is described as Type B – Naturally Dynamic Hydrogeological environment where the site has historically been in greenfield/agricultural use with no evidence of any historical waste disposal. The site is underlain by a regionally important karstified aquifer and by the platin formation comprising crinoidal peloidal grainstone-packstone.

Potential Impacts: In terms of potential impacts on this factor, the principal construction impacts relate to the earthworks required comprising the excavation of superficial deposits from the site, of which c.17,000m^3 will be removed from the site, and the importation of up to 4,800m^3 of fill material. No excavation of bedrock is proposed. The storage or hazardous materials on site presents a risk to the water environment. Land Take is specially addressed in Section 6.3.9 of the EIAR and the loss of agricultural land is a potential impact however, while there will be a loss of undeveloped land for the development that there holding is within an industrial park zoned for high technology uses with the site due for development resulting in no long-term overall loss of agricultural land. In terms of potential operational impacts, the increase in hardstanding area on site will alter local recharge. While no significant bulk fuel or chemical storage is required for this phase oil storage is required for the transformers (max storage of 36m^3).

Mitigation Measures: Mitigation measures for the construction phase are outlined and include the CEMP, the control of soil excavation and the appropriate export of material from the site. Other measures relate to seeking appropriate sources of fill and aggregates and proper fuel and chemical handling in addition to the control of

water during construction. Key to the implementation of these measures is the preparation and submission of a comprehensive CEMP, as I outline above, which will be conditioned. In terms of the operational phase, the implementation of appropriate environmental procedures at operational sites is proposed with an Environmental Safety and Health Management Programme developed for each such facility by the applicant. Fuel storage within an appropriately bunded area is also proposed. These measures are also included in the compendium of mitigation measures Appendix 1.1 of the EIAR.

Residual Impacts: It is predicted that following the implementation of the proposed mitigation measures that the construction phase will have a short-term imperceptible-neutral residual impact and the operational phase will have a long-term imperceptible-neutral.

Cumulative Impacts: while it is stated that Chapter 16 of the EIAR provides a full assessment of cumulative impacts, Section 6.9 notes the key engineering works which would have additional impacts are I would note as per the potential impacts outlined above and include the additional removal of topsoil, run-off containing large amounts of silt and contamination of soils from accidental spills. At operational stage, the impacts may arise from overall increase in the hardstanding, accidental release of fuel and loss of greenfield area. The residual cumulative impact on this factor will be long-term imperceptible-neutral.

Potential interactions: The EIAR outlines that potential neutral impacts would arise in respect of this factor and the following: population and human health; hydrology; biodiversity; air quality and climate; archaeological, architectural & cultural heritage and waste management. The rationale outlined to support same is reasonable. I note that it is considered that potential negative interaction could arise between land, soils, geology and hydrogeology and noise & vibration as the proposed excavation works which will be short term in nature will have a short-term impact on the noise environment which will be mitigated by measures outlined in the CEMP particularly for any rock breaking required. While not specifically mentioned in Chapter 17 of the EIAR, I would note that the same logic in respect of excavation would apply to the interaction between this factor and cultural heritage with mitigation proposed in respect of archaeological monitoring. I consider that this is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on land, soils, geology and hydrogeology would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on land, soils, geology and hydrogeology.

15.5. Hydrology

As noted in the previous section, hydrology is addressed separately in Chapter 7 of the EIAR. The methodology of the assessment is presented, with the receiving environment including surface water quality, flood risk and the rating of importance of the hydrological features (medium) outlined. The EIAR presents the key works for the construction phase and they key activities at operational phase which will have potential impacts.

Potential Impacts: In terms of potential impacts on this factor, the main construction impacts relate to the surface water run-off which may contain increased silt levels or become polluted from construction works although given there are no direct pathways from the site to surface water bodies there is no likely impact on off-site watercourses. Given that excavations are not intended to extend to bedrock, it is not expected that any temporary dewatering will be required. Spillages from machinery and contamination of watercourses is outlined as a potential impact and concreting near surface water drainage points is also considered but again, given there is not direct pathway to a surface water body, there is no potential impact with an imperceptible and neutral impact arising over the short term.

In terms of potential operational impacts, the increase in hardstanding areas/roofs etc on site will increase rainwater runoff with wastewater discharging from the proposed development to the existing foul sewer. A water supply connection has been confirmed by Irish Water. There is a potential risk of transformer fuel and car leaks. An imperceptible and neutral impact arising over the long term is predicted.

The matter of flood risk has been addressed in the application and I note a Stage 1 Flood Risk Assessment has been appended to the EIAR (Appendix 7.2). The site is

within flood zone C with the probability of flood risk low. There are no direct pathways from the site to a watercourse.

Mitigation Measures: Mitigation measures for the construction phase are outlined and include the CEMP which will include best practice standards for the control of water pollution. In relation to run-off the careful storage of soil and the careful removal of soil is proposed as are measures for the handling of chemicals and fuel. Key to the implementation of these measures is the preparation and submission of a comprehensive CEMP, as I outline above, which will be conditioned. In terms of the operational phase, a number of measures including the inclusion of hydrocarbon interceptors within the drainage system are outlined as is the incorporation of SUDS into the design. Fuel storage within an appropriately bunded area is also proposed. These measures are also included in the compendium of mitigation measures Appendix 1.1 of the EIAR.

Residual Impacts: It is predicted that following the implementation of the proposed mitigation measures that the construction phase will have a short-term imperceptible-neutral residual impact and the operational phase will have a long-term imperceptible-neutral.

Cumulative Impacts: while it is stated that Chapter 16 of the EIAR provides a full assessment of cumulative impacts, Section 7.9 notes the key construction works which would have additional impacts are I would note as per the potential impacts outlined above and include surface water run-off containing large amounts of silt and contamination of soils from accidental spills. At operational stage, the impacts may arise from overall increase in the hardstanding, accidental release of fuel and loss of greenfield area. The residual cumulative impact on this factor will be long-term, neutral with an imperceptible significance.

Potential interactions: While not specifically addressed in Chapter 7 of the EIAR, Chapter 17 outlines that potential neutral impacts would arise in respect of this factor and the following: land, soils, geology and hydrogeology; population and human health; biodiversity; air quality and climate; and material assets. The rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on

hydrology would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on hydrology.

15.6. Biodiversity

Firstly, I would note that the Appropriate Assessment Screening Report has been appended to this Chapter (appendix 8.1). I have addressed the matter of Appropriate Assessment Screening at Section 14 above.

In relation to biodiversity, the methodology of the assessment is presented with the relevant legislation and guidance outlined. It is stated that a habitat survey was carried out in three stages including the survey of habitats on site in February and April 2019 and September 2020. No potential bat roosts were identified so a bat detector survey was not undertaken. Bird surveys undertaken in February and April 2019 in respect of the permitted development are referenced and are included with the data collected in the 2020 survey. The receiving environment is addressed with designated conservation areas outlined and as outlined in Section 14 above, there is no connection/pathway between the site and the designated sites. In relation to habitats on the site, it is stated that the development area is currently comprised of spoil and bare ground (Figure 8.2) with the western and northern perimeter comprising of a border of mixed broadleaved woodland planted as part of the landscaping associated with both the motorway and the IDA park with species including sycamore, hawthorn, elder, ash and others. No badger setts were identified on site nor were signs of Otter or bats. A list of breeding bird species recorded during the surveys are outlined in table 8.3 and it is noted that given the level of development ongoing on site and distance from the coastal SPA's that the site would not present opportunities for bird species associated with the SPA's. It is stated that there are no rare or protected habitats inside the development site and the development area is defined as having a low local ecological value. I consider that the rationale for this conclusion is reasonable.

Potential Impacts: In terms of potential impacts on habitats, no direct impacts are predicted. It is noted that there will be no effects on the surrounding woodland as the

footprint of the proposed development will avoid this area. No direct impacts are predicted on fauna with the site of low ecological value for fauna. A potential indirect effect on foraging bats in the surrounding area if new lighting is directed towards the boundaries of the site.

No potential operational impacts are identified.

Mitigation Measures: the principal mitigation is the incorporation of bat sensitive lighting for the development.

Residual Impacts: with the use of bat sensitive lighting, any residual impact will have a neutral imperceptible impact on biodiversity.

Cumulative Impacts: given that no potential impacts have been identified, it follows that there will not be any cumulative impacts arising.

Potential interactions: While the interaction between biodiversity and air quality and climate is detailed in Chapter 8 of the EIAR and which I note is predicted as a neutral interaction. Chapter 17 outlines that potential neutral impacts would arise in respect of this factor and the following: land, soils, geology and hydrogeology; and landscape and visual. The rationale outlined to support same is reasonable. It is further outlined in Chapter 17 that there would be a potential negative interaction between this factor on noise given the potential impact on fauna from construction noise although given the existing condition of the overall lands as a construction site, the impact may be considered neutral.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on biodiversity would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on biodiversity.

15.7. Air Quality & Climate

In relation to air quality and climate, the methodology of the assessment is presented in the early sections of Chapter 9 with the relevant legislation and guidance outlined. It is noted that there is no potential for operational phase impacts on air quality from

traffic associated with the proposal. The receiving environment is outlined with baseline air quality set out. Sensitive receptors in the vicinity of the site with the overall sensitivity of the area for dust soiling considered to be low given the distance of residential properties to the site. The worst-case sensitivity of the area to human health is also considered to be low. This is a reasonable conclusion.

Potential Impacts: Construction dust emission and the potential for nuisance dust is the greatest potential construction impact. Such an impact could arise from the earthworks, constriction works themselves and the associated traffic/machinery. The EIAR provides a detailed assessment of dust emission magnitude and risk Construction traffic is expected to comprise the dominant source of greenhouse gas emissions. However, given the short duration of the works the impact is considered to be short term and imperceptible.

No potential operational impacts are identified as the traffic associated with the development is limited and the single generator associated with the development is less than 1MW and can therefore be scoped out.

Mitigation Measures: A dust control strategy is proposed which it is proposed will form part of the CEMP, which as outlined above, I propose should be conditioned to be advanced from its current outline status to a comprehensive strategy. Good site management is also proposed as a complementary measure as are speed restrictions on site road, watering of materials either to be moved or in storage piles in dry weather. The use of a wheel wash at the site exit is also proposed. The implementation of the mitigation measures would ensure fugitive emissions of dust from the site will be insignificant and will not pose a nuisance to the most proximate receptors.

Residual Impacts: the residual impact on air quality, climate and human health is predicted to be short term and imperceptible during the construction phase and given the absence of operational impacts, the residual impacts at this phase are neutral which is reasonable.

Cumulative Impacts: As outlined in the EIAR, there is the potential for cumulative dust impacts to any nearby sensitive receptors but with the dust mitigation measures proposed during the construction phase, significant cumulative impacts on air quality will be avoided.

Potential interactions: While not addressed in Chapter 9 itself, I note the interaction between air quality and climate and biodiversity which I detailed in the previous section and which is considered to be neutral. Other interactions with air quality and climate which are considered to have a neutral arise in respect of the following: land, soils, geology and hydrogeology; hydrology; biodiversity and population human health. The rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on air quality and climate would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on air quality and climate.

15.8. Noise & Vibration

In relation to noise and vibration, the methodology of the assessment is presented in the early sections of Chapter 10 with the relevant legislation and guidance outlined and the criteria for rating noise and vibration impacts provided in detail. It is outlined that the main data centre development is subject to an operational noise criteria condition and it is proposed to adopt these criteria for the cumulative noise assessment of both the permitted and proposed development. I note that there are no vibration emissions associated with the operational phase of the proposed development. The noise sensitive locations chosen for the noise surveys (which are detailed in Appendix 10.2) where monitoring was undertaken are outlined in Figure 10.3 with Figure 10.4 outlining the noise sensitive locations considered for assessment. I note that as would be expected within this area road traffic noise, both distant and local, is the most significant source of noise.

Potential Impacts: Construction noise associated with the works including the cable works and the machinery involved is the main potential impact. Table 10.10 outlines the indicative noise levels from construction plant at various distances from the cable works. I would note that the characteristics of the proposal do not reference the works associated with the masts or other works associated with the proposal,

focusing on the cable works. However, given the nature of the development, it is considered that the potential construction impacts are standard to those anticipated for a development of the type proposed. The proposed development site is not proximate to any sensitive receptors and therefore I consider that it is reasonable to conclude that the impacts arising while negative are minor and temporary.

The EIAR considers that once operational there will be no significant off-site noise emissions from the proposal and given the nature of the proposed development this is reasonable. I also note the reference to the operational noise condition on the permitted data centre. As noted above, no operational vibration impacts are predicted. I consider that this matter has been satisfactorily addressed.

Mitigation Measures: Noise mitigation measures such as limiting hours of operation and noise control measures are proposed and should form part of the CEMP, which as outlined above, I propose should be conditioned to be advanced from its current outline status to a comprehensive strategy. I would note for the Board's information that an indicative construction noise and vibration management plan is attached as Appendix 10.4 and is satisfactory. The limiting of vibration levels as set out in Table 10.7 is also considered appropriate.

Residual Impacts: the residual impact noise and vibration is predicted to be not significant for the construction phase and not significant, negative long term during the operational phase which is reasonable.

Cumulative Impacts: As outlined in the EIAR, there is the potential for cumulative noise impacts at construction stage which will be slight, negative and temporary and it is considered that there will be no, significant cumulative impacts. The operational impact is not significant. Given the nature of the proposed development this conclusion is reasonable.

Potential interactions: While not addressed in Chapter 10 itself, I note the interaction comprising a negative impact between noise and vibration and biodiversity and land, soils, geology and hydrogeology and noise & vibration although the effect of both is noted as short term and slight and therefore not significant. Other interactions with noise and vibration which are considered to have a neutral arise in respect of the following: population human health. The rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on noise and vibration would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on noise and vibration.

15.9. Archaeological, Architectural and Cultural Heritage

Archaeological, Architectural and Cultural Heritage is addressed in Chapter 11 of the EIAR and I have addressed the matter of archaeological heritage in Section 13.4 of my planning assessment above. The receiving environment is outlined in Section 11.3 detailing the historical context. The recorded archaeological sites in the vicinity of the site are outlined and notably the recorded excavations within the area are detailed and set out in Figure 11.3 of which there have been many particularly associated with the M1 (Appendix 11.3). Of particular interest and note is the previous and ongoing excavations on the subject site which are outlined as follows:

- Archaeological assessment comprising archaeo-geophysical survey (licence no. 02R0026), pre-development testing and archaeological monitoring (licence no. 02E0183) on a site of c.25 hectares was undertaken at the site in 2002 by CRDS Ltd. This is outlined in detail in Section 11.3.6 of the EIAR.
- A programme of archaeological excavation commenced on site in March 2020 (licence no. 20E0082) and is being undertaken by IAC Ltd and overseen by CRDS Ltd. This is outlined in detail in Section 11.3. 7 of the EIAR with the subject site within areas 7 & 8. It is stated that topsoil stripping and assessment of these areas is ongoing. I would also note from the applicant's response to the Chief Executive's Report that a comprehensive programme of archaeological excavation has now been completed on the subject site and the wider landholding, pursuant to the conditions of extant permission Ref.: LB191735. No detail is provided as to any findings of same. However, I note that the results of the excavation of other areas of the sites (areas 1-5) are included in Appendix 11.4.

Potential Impacts: Construction phase impacts on archaeological and cultural heritage associated with the proposal involves ground disturbance associated with the construction of the proposed GIS substation and the excavation of the trenches for the proposed cable installations. Ground disturbance associated with the site preparation and excavations would potentially remove sub-surface archaeological features, should any survive within the site. No direct or indirect visual impacts on the architectural heritage features identified within the desktop assessment due to their distance from the site, local topography and intervening developments.

No potential operational impacts are identified which is considered reasonable.

Mitigation Measures: As outlined above, the site has been subject to recent archaeological excavation which is subject to licence and it is proposed to submit the report to the relevant authorities. I would propose that a condition should be included requiring the report of any excavations on the site of the subject development should be submitted to the planning authority prior to commencement. No operational mitigation measures are proposed which is reasonable.

Residual Impacts: no residual impacts predicted subject to mitigation measures being implemented appropriately.

Cumulative Impacts: I would concur with the applicant that the mitigation measures required in advance of developments, and currently being implemented/recently completed in relation to the proposal, will result in the preservation of the archaeological remains by record, and have / will significantly add to the academic record of the archaeology of the region and that the conclusion that the cumulative effect on archaeology is neutral and imperceptible is reasonable.

Potential interactions: Interactions with this factor have not been addressed in Chapter 11 of 17 which would lead me to conclude that the applicant does not envisage any interactions. However, as I note in Section 15.4 above, given the excavation and removal of material off-site it is arguable that an interaction would apply to the interaction between this factor and land and soils, however, given the archaeological excavation mitigation undertaken I do not consider that the interaction would be significant.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on

archaeological, architectural and cultural heritage would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on archaeological, architectural and cultural heritage.

15.10. Landscape and Visual

In relation to landscape and visual, I have addressed the matter of visual amenity at Section 13.3 of my planning assessment above and I have addressed the concerns raised by the Conservation Officer of Meath County Council. I would therefore propose not to reiterate same in this section other than to state that I consider that the matter has been satisfactorily addressed. The methodology of the EIAR assessment is presented in the early sections of Chapter 12 with the relevant legislation and guidance outlined. A very detailed assessment of the receiving environment is provided which addresses the local site context and the wider environs and the Boyne Valley and Bru na Boinne. The views and prospects designated in the Development Plan are outlined including View 61 which is from the Hill at Sheephouse Graveyard on the top of Donore Hill. The applicants have undertaken a comprehensive assessment by way of the preparation of 15 photomontages which address the potential operational impacts of the proposed development and the cumulative development of the landholding from a series of representative locations. I consider that the views chosen are appropriate. I would note that the permitted data centre development is shown in green, the proposed development is in red and the cumulative development of the masterplan is shown in yellow.

Potential Construction Impacts: The construction process is temporary and by its nature is in constant change. I would also note that the proposal is part of a wider development envelope and smaller in scale than the data centre facility. The applicant's contend that the effects on landscape character vary from not significant to slight and from neutral to negative and I consider that this is reasonable. In terms of the effects on views during the construction phase I would also agree with the conclusions reached that the effects would range from temporary to short term and slight to not significant and from the neutral to negative.

Mitigation Measures: The design itself is the main mitigation measure with the quality of materials considered to be of high quality. In addition, the extensive landscaping proposed for the overall site including the landscaped berm is a key mitigation measure. The consideration of operational/residual impacts includes the mitigation measures.

Operational/Residual Impacts: In order to address the potential operational/residual impacts, I propose to do same by assessing the impacts as they relate to the views provided by the applicant and undertake same in the following table. The table as follows addresses operational, residual and cumulative impacts. I will outline what the applicant proposes in terms of effects and my consideration of same.

View	Location	Residual Impact of Proposal	Cumulative Impact
1	From M1 northbound approaching exit 9	Imperceptible & Neutral – I agree as the proposal is not visible with the screening.	Not significant and neutral – I agree as the proposal is not visible with the screening.
2	From M1 northbound approaching exit 9	Imperceptible & Neutral – I agree as the proposal is not visible with the screening.	Not significant and neutral – I agree as the proposal is not visible with the screening.
3	From the Green, Tredagh View, Rathmullen	Not significant – agreed as the development is not visible	Moderate and negative – this is reasonable as the masterplan proposal is visible within this view.
4	From Marley's Lane, Rathmullen	Not significant – agreed as the development is not visible	Moderate and negative – this is reasonable as the masterplan proposal is visible within this view.
5	Cedarfield Close, Rathmullen	Development is not visible due to boundary	Development is not visible due to boundary

6	Entrance to retail park	Not significant – agreed as the development is not visible	Slight moderate and negative – this is reasonable as the data centre permitted and masterplan is prominent within this view.
7	From within retail park	None – agreed as entirely screened	None – agreed as entirely screened
8	From Donore Road over M1	Not significant and neutral – agreed as the development is not visible	Not significant and negative – agreed as masterplan proposal visible but view is not sensitive.
9	From Donore/ Sheephouse Graveyard – Protected view	Slight and negative – agreed as view screened by vegetation and noted that without vegetation blocking view that upper parts may be visible – but reads as part of urban area.	Moderate & negative – agreed as visible in view but reads as part of urban area.
10	Local road NW of site	Slight & neutral – agreed as dropdown masts visible although they blend in with existing infrastructure	Moderate & negative – agreed as visible in view.
11	From N51 roundabout over M1.	Slight & negative – agreed although close to imperceptible & neutral.	Moderate/Significant & negative – masterplan development very visible.

12	From Cockle Rd, Tullyesker (c.6km north)	Not significant – agreed as elements of proposal are not readily decipherable.	Moderate & negative – agreed as visible in view.
13	From Newgrange	Not visible - agreed as fully screened	Not visible – agreed as fully screened.
14	From Knowth	Not visible - agreed as fully screened	Not visible - agreed as fully screened
15	From Dowth	Not visible - agreed as fully screened	Not visible - agreed as fully screened

I would agree with the applicant that while the proposed development will be noticeable, it will not be prominent and its effects on landscape character will not be significant.

Residual Impacts: considered in table above.

Cumulative Impacts: considered in table above.

Potential interactions: While not addressed in Chapter 12 itself, I note the interaction between this factor and population and human health and biodiversity in Chapter 17 which are considered to be neutral. The rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on landscape and visual would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on landscape and visual.

15.11. Traffic and Transportation

In relation traffic and transportation, Chapter 13 provides detail on the adjoining planning history, site location, policy and planning documents which are considered relevant. The methodology of the assessment is presented in Section 13.5 and I note that opening year is 2023 with horizon year 15 years after (2038). The AM peak is 08.30-09.30 and the PM peak is 17.00-18.00. The existing road network is detailed in Section 13.6 with three junctions addressed in the report. I note that the construction phase is estimated as 12 months and therefore short-term in duration. Peak construction staff is low at c. 30 persons with peak HGV's at 10 per day. Traffic associated with the operational phase is limited as the facility does not require full time staff with 2 staff anticipated to spend one day a week for weekly inspection. The proposed traffic distribution is provided at section13.12 with 60% of traffic assessing/egressing via the Donore Road east arm. The permitted development has an expected generation of 144 PCU's at both peaks with a maximum of 50 staff at operational stage. The indicative masterplan development is detailed at Section 13.14 for the purpose of traffic generation but as noted the construction phases will not overlap.

Potential Impacts: Additional construction traffic on the road network however it is minimal and all the junctions are operating satisfactorily. The impacts are not significant given the scale of the proposed development and the limited construction staff required to implement the proposal.

No potential operational impacts are identified as the traffic associated with the development is so limited.

Mitigation Measures: The CEMP is the key measure and I note as I outline at Section 13.5 above that the Traffic Section of the Local Authority require a final CEMP which includes construction stage traffic management. I propose should be conditioned to be advanced from its current outline status to a comprehensive strategy.

Residual Impacts: the residual impact on air quality, climate and human health is predicted to be short term and imperceptible during the construction phase and given the absence of operational impacts, the residual impacts at this phase are neutral which is reasonable.

Cumulative Impacts: these impacts have been considered in the operational phase with no impacts predicted.

Potential interactions: No interactions between this factor and any of the others addressed have been predicted in the EIAR and this is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects traffic and transportation would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on traffic and transportation.

15.12. Material Assets

In relation to material assets, the methodology of the assessment is presented in the early sections of Chapter 14. Ownership and access to the site is outlined and I note that the appendices to this chapter contain letters of consent and application forms for services. The receiving environment is outlined with the existing built services and infrastructure in the area provided. The characteristics of the proposal as it relates to site services is detailed.

Potential Impacts: Construction phase impacts relate to works in the vicinity of electrical services, but these are short term and imperceptible. Similar effects are predicted on water supply and the foul drainage infrastructure. Operational phase impacts provide that rather than using electricity, the proposal will facilitate a continuity of supply and arguably this is a positive impact although I note that this is not directly stated in the EIAR. The potential impact on the water supply and foul network will be imperceptible.

Mitigation Measures: Consulting with the relevant service providers and following relevant guidelines are the key consideration in respect of power supply, foul drainage and water supply.

Residual Impacts: the residual is considered to be long term and not significant given the nature of the proposed development and I consider that this is reasonable.

Cumulative Impacts: As outlined in the EIAR, the potential cumulative effects are imperceptible given the nature of the proposal and its support function to the overall development on the holding.

Potential interactions: While not addressed in Chapter 14 itself, I note the interaction between material assets and the following factors population and human health and hydrology. The interactions are predicted to have a neutral impact and I consider that the rationale outlined to support same is reasonable.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on material assets would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on material assets.

15.13. Waste Management

In relation to waste management, the methodology of the assessment is presented in the early sections of Chapter 15 with the relevant legislation and guidance outlined. The receiving environment is outlined with Development Plan polices and objectives noted. The C&D waste management plan is attached as Appendix 15.1. The characteristics of the proposal are outlined for both phases. The construction phase requires the remove of 17,000m^3 of topsoil and subsoil and same will be done in accordance with the relevant legislation.

Potential Impacts: Construction phase requirement to remove material off-site. However, given the short duration of the works the impact is considered to be short term and not significant.

Potential operational relate to the generation of waste on site but given the proposed staff needs of the facility these are likely to be minimal.

Mitigation Measures: The main mitigation measure is the aforementioned C&D waste management plan which is attached as Appendix 15.1.

Residual Impacts: adherence to the C&D waste management plan will provide that residual impacts are neutral. This is reasonable.

Cumulative Impacts: No significant cumulative impacts are predicted with construction phase impacts generating some waste due to site clearance, but it would be short term and with mitigation would not be significant. As outlined above, a C&D waste management plan is attached as Appendix 15.1. The operational phase of the permitted and proposed developments would only generate a small amount of waste given the nature of the developments.

Potential interactions: No interactions are predicted with any other environmental factor.

Conclusion: I have considered the submission of the planning authority, prescribed bodies and this chapter of the EIAR. I am satisfied that potential effects on waste management would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on waste management.

15.14. **The Interaction between the Above Factors.**

I have addressed interactions under each of the environmental factors above, I note that Chapter 17 of the EIAR deals with the interactions between environmental factors as they relate to positive impacts, neutral impacts and negative impacts. I consider that the various interactions have been properly described in the EIAR and have been considered in the course of this EIA within the sections above.

15.15. **Cumulative Impacts**

Cumulative impacts are addressed under the specific chapters of the EIAR and are addressed under the individual headings above where appropriate. I consider that the matter has been appropriately and comprehensively considered.

15.16. **Major Accidents/Disaster**

15.16.1. Addressed in Section 2.7 of the EIAR, the consideration of Major Accidents/Disasters states that the site has been assessed in relation to a number of external natural disasters which I address in turn. Firstly, in relation to *Landslides,*

Seismic Activity and Volcanic Activity, it is considered that there is a negligible risk of such occurring at the site and in the immediate vicinity due to the topography and soil profile of the site and surrounding areas with no history of seismic activity in the vicinity of the site with no active volcanoes in Ireland. In relation to *Flooding/Sea Level Rise,* it is stated that the potential risk of flooding on the site was also assessed with a Stage 1 Flood Risk Assessment carried out (Appendix 7.2) which concludes that the proposal is not at risk of flooding nor would it be expected that it would adversely impact on flood risk for other neighbouring properties. In terms, of *Seveso/COMAH* the proposal will not be a Seveso/COMAH facility with the only substance stored on site controlled under Seveso/COMAH will be diesel for a single back up generator (tank capacity 1m3) and the transformers (tank capacity 36m3) and the amounts proposed do not exceed the relevant thresholds of the Seveso directive. Finally, in relation to *Minor Accidents/Leaks, where there* is a potential impact on the receiving environment as a result of minor accidents/leaks of fuel/oils during the construction and operational phases the implementation of the mitigation measures set out in Chapters 6 and 7 of the EIAR will ensure the risk of minor accidents//leaks is low and any residual effect on the environment is imperceptible. I consider that this matter has been satisfactorily addressed.

15.17. Reasoned Conclusion

15.17.1. Having regard to the examination of environmental information contained above, and to the submission by the planning authority and prescribed bodies it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- **Population and Human Health:** Potentially significant health and safety risks to construction workers, due to working at heights and with high voltage electrical infrastructure. This will be mitigated through best-practice construction methods and compliance with health and safety standards. Potential air quality, dust and noise impacts on human health will be mitigated through compliance with a Construction Environmental Management Plan and Noise and Vibration Management Plan, best practice construction methods and distance to sensitive receptors.

- **Land, Soils, Hydrology, Air and Climate:** Potential significant hydrological effects are identified, due to potential construction phase contamination of surface water on site and sedimentation and dust. During the operational phase, increased surface water run-off and sedimentation is also considered to result in potentially significant effects. These effects will be mitigated by a series of best practice construction management, dust minimisation and pollution prevention measures and other specific measures outlined in the Drainage and Water Services Report and the Outline Construction Environmental Management Plan.

16.0 **Recommendation**

16.1. Having regard to the foregoing I recommend that permission for the proposed development be granted, subject to conditions, for the following reasons and considerations.

17.0 **Reasons and Considerations**

17.1. In coming to its decision, the Board had regard to:

(a) the nature, scale and extent of the proposed development,

(b) the characteristics of the site and of the general vicinity,

(c) the location of the proposed development adjoining the M1 corridor and the edge of the urban area of Drogheda,

(d) the distance to dwellings or other sensitive receptors from the proposed development,

(e) the planning history of the immediate area including proximity to the permitted data storage facility (Reg. Ref. LB/191735).

(f) the submissions on file including those from prescribed bodies and the Planning Authority,

(g) the Environmental Impact Assessment Report submitted,

(h) the Appropriate Assessment Screening report submitted,

(i) the report of the Inspector.

Environmental Impact Assessment

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

- The nature, scale and extent of the proposed development;
- The environmental impact assessment report and associated documentation submitted in support of the application;
- The submissions made in the course of the application; and
- 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, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- **Population and Human Health:** Potentially significant health and safety risks to construction workers, due to working at heights and with high voltage electrical infrastructure. This will be mitigated through best-practice construction methods and compliance with health and safety standards. Potential air quality, dust and noise impacts on human health will be mitigated through compliance with a Construction Environmental Management Plan and Noise and Vibration Management Plan, best practice construction methods and distance to sensitive receptors.
- **Land, Soils, Hydrology, Air and Climate:** Potential significant hydrological effects are identified, due to potential construction phase contamination of

surface water on site and sedimentation and dust. During the operational phase, increased surface water run-off and sedimentation is also considered to result in potentially significant effects. These effects will be mitigated by a series of best practice construction management, dust minimisation and pollution prevention measures and other specific measures outlined in the Drainage and Water Services Report and the Outline Construction Environmental Management Plan.

The Board is satisfied that this reasoned conclusion is up to date at the time of taking this decision.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the absence of any pathways from the site to designated European sites and the information for the Screening for Appropriate Assessment submitted with the application, the Inspector's Report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

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.

18.0 **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. All of the environmental, construction and ecological mitigation measures set out in the Environmental Impact Assessment Report and other particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this order.

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

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development.

   Reason: In the interest of environmental protection and public health.

4. The developer shall comply with the following requirements:

   (a) No additional 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 roads.

   (c) Cables within the site shall be located underground.

   (d) All fencing, gates and exposed metalwork shall be dark green in colour. The roofs of the buildings within the substation compound shall be dark grey or

black and the external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of clarity, of visual and residential amenity.

5. The landscaping proposals shall be carried out within the first planting season following commencement of construction of the proposed development. All existing hedgerows 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. 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.

7. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Outline CEMP included in the Environmental Impact Assessment Report. The CEMP shall incorporate the following:

   (a) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;

   (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;

   (c) an emergency response plan; and

   (d) a construction stage traffic management plan.

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

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

8. 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.

9. Prior to the commencement of development, the developer shall submit the report of the archaeological site excavations and investigation to the planning authority for their written agreement and to other relevant bodies.

Reason: To conserve the archaeological heritage of the site.

Una Crosse
Senior Planning Inspector

March 2021