



An
Bord
Pleanála

Inspector's Report

ABP-309951-21

Development	Provision of two 110kV transmission lines. Connecting Coolderrig 110kV GIS Substation to Grange Castle - Kilmahud circuits.
Location	Grange Castle Business Park, Grange, Dublin 22
Planning Authority	South Dublin County Council
Applicant(s)	Edgeconnex Ireland Ltd.
Type of Application	Application under provisions of Section 182A of the Planning and Development Act, 2000 (as amended)
Observer(s)	Department Tourism, Culture, Arts, Gaeltacht, Sport and Media - DAU

Date of Site Inspection

21/07/21.

Inspector

Sarah Lynch

Contents

1.0 Introduction.....	4
2.0 Site Location and Description	5
3.0 Proposed Development	5
4.0 Submissions	6
4.1. Prescribed Bodies.....	6
4.5. Third Party Observations	7
5.0 Relevant Planning History	7
6.0 Legislative and Policy Context.....	7
6.1. National Framework Plan, 2018.....	7
6.2. Regional Spatial & Economic Strategy for the Eastern & Midland Region	8
6.3. South Dublin County Council Development Plan, 2016-2022	8
6.4. Natural Heritage Designations	9
7.0 Assessment.....	9
8.0 Environmental Impact Assessment.....	11
9.0 Recommendation.....	37
10.0 Reasons and Considerations	37
10.2. Proper Planning and Sustainable Development	39
10.3. Environmental Impact Assessment.....	39
11.0 Conditions	41

1.0 Introduction

- 1.1. An application under the provisions of Section 182A of the Planning and Development Act, 2000 (as amended) has been received by the Board from Edgeconnex, seeking approval for the development of 2 no. 110kV transmission lines. The proposed transmission lines will connect the permitted and under construction Coolderrig 110kV GIS substation with the existing Grange Castle-Kilmahud Circuits.
- 1.2. The applicant entered into pre-application discussions with the Board under Section 182E of the Act and one meeting was held on 11th January 2021 (ABP Ref: 308655). The Board issued a Direction on 4th February 2021 that the 2 no. grid connections from the permitted GIS substation and new grid connection works to connect to the Grange Castle Business Park, Lucan, Dublin 22 and associated works is strategic infrastructure development (SID), and that a planning application should be made directly to the Board.
- 1.3. It was confirmed at the pre-application meeting that this is the scope of the development, the applicant was advised to carefully address the description of the proposed development and to consider the extent of the site boundary and whether or it should include the Edgeconnex substation under construction and any part of the existing Grange castle substation.
- 1.4. Options for the grid connection route all pass close to the nearby Dublin Bus terminus and involve crossing of the culverted Griffeen river and are typically located within lands which are in the ownership of the local authority or are part of the industrial estate. The applicant indicated that there are a lot of services in the area and that this was one of the reasons for the possible but ultimately not pursued crossing under river using directional drilling.
- 1.5. The main stakeholders for the development are Eirgrid, ESB Networks and Edgeconnex Ireland Ltd the developer.
- 1.6. A letter of consent from the local authority whose lands are traversed was enclosed with the pre-app documents.

2.0 Site Location and Description

- 2.1. The site is partly within Grange Castle Business Park and partly within the Edgeconnex compound at the northern part of an overall data centre development.
- 2.2. The western side of the proposed development is within the Edgeconnex compound. The final phase of the data centre and the associated substation are under construction. The site which includes the Edgeconnex substation site is positioned at the north-eastern end of the large land holding owned by the prospective applicant.
- 2.3. The central and eastern side of the proposed development is within lands which are part of the business park and in the ownership of the local authority and at the extreme eastern side include part of the Grange Castle substation. The central part of the site contains a Dublin Bus terminus and the Griffeen River, which is in culvert in places. The Griffeen runs parallel to the preferred route option for much of its length.

3.0 Proposed Development

- 3.1. The scope of the proposed development is to provide a connection between the permitted 110kV GIS substation at the Edgeconnex site where construction has commenced (SDCC Reg. Ref. 18A/0298) and the Grange Castle substation, which is long established.
- 3.2. The development will comprise 2 no. underground single circuit 110kV transmission lines which will pass over the culvert of the Griffeen River and will run parallel with the river for much of its route.
- 3.3. On completion of works the 110kV substation under construction and the transmission lines subject to this application will be handed over to EirGrid whom in conjunction with ESNB will carry out the final commissioning and energisation of the permitted 110kV GIS substation and 110kV transmission lines. Then the permitted 110kV GIS substation within the Edgeconnex site and the 2 no. underground single circuit transmission lines will form part of the ESNB infrastructure which EirGrid will be responsible for operating.

4.0 Submissions

4.1. Prescribed Bodies

South Dublin County Council

4.1.1. South Dublin County Council's Chief Executive's Report sets out the strategic view that the proposed strategic infrastructure application will be of positive benefit for the sustainable development and economic growth of the County having regard to the provision of increased power supply to permitted development on zoned lands. It is considered that the principle of the proposal is in accordance with the EE land use zoning, the current Development Plan and the proper planning and sustainable development of the area, and that technical / operational issues should be addressed by way of further information and / or conditions in relation to transportation, water, landscaping and surface water services. Planning Authority agrees with the conclusions of the EIAR in that there will be no significant impact on bats of the pNHA. Issues raised can be summarised as follows:

- Additional information in relation to flood compensation storage calculations, surface water attenuation, and green infrastructure in terms of SuDS.
- Detailed landscape plan to be submitted.
- Need for route deviation from existing wayleave.
- Additional information in relation to bats, due to length of time since surveys took place.
- No residential properties in vicinity of site, no impacts expected.

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- 4.2. The department notes that mitigation measures are proposed by the applicant to prevent pollution to the Griffeen River. Conditions are proposed by the department that require specific hydrological protection measures to be outlined in the CEMP.
- 4.3. It is also requested that no trees are removed during bird breeding season from March to August inclusive.
- 4.4. Archaeological monitoring should also be carried out during construction works and a condition wording is proposed.

4.5. Third Party Observations

None

5.0 Relevant Planning History

Reg. ref. 18A/0298 – permission was granted for the final phase of the Edgeconnex site to the east of the R120 for:

Amendment and completion of the permissions granted under Reg. Ref. SD16A/0214, SD16A/0345, SD17A/0141 and SD17A/0392, construction of two new single storey data halls and associated office areas and plant and other development

- To include the relocation and redesign of the two storey ESB substation (556sq.m) with associated transformer yard and single storey transformer building (180sq.m) permitted under SD16A/0345 to the immediate north of the entrance into the site from Grange Castle Business Park.

There are multiple permissions within the surrounding business park, none of which encroach or are directly relevant to the proposed development site.

6.0 Legislative and Policy Context

6.1. National Framework Plan, 2018

- 6.1.1. The National Planning Framework provides policies, actions and investment to deliver 10 National Strategic Outcomes (NSO) and priorities of the National Development Plan. A strong economy supported by enterprise, innovation and skills is the main NSO that pertains mostly to the proposed development. It is recognised that Ireland is very attractive in terms of international digital connectivity, climatic factors and current and future renewable energy sources for the development of international digital infrastructures, such as data centres. It is an objective under this NSO to seek the *“promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.”*

6.2. Regional Spatial & Economic Strategy for the Eastern & Midland Region

- 6.2.1. This document is a 12-year strategic regional development framework that will facilitate the delivery of the NPF. It is a guiding principle of the Strategy for enterprise development to align to the national strategy and approach for data centres in terms of the right location for use and energy demand. Regional Policy Objective 8.25 relating to communications networks and digital infrastructure states that local authorities shall support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.

6.3. South Dublin County Council Development Plan, 2016-2022

- 6.3.1. The subject site is zoned 'EE' where the objective is *"to provide for enterprise and employment related uses."* Enterprise centres, industry and public services are among the uses permitted in principle under this zoning objective. Table 11.18 sets out key principles for access and movement, open space and landscape, built form and corporate identity for development within Enterprise and Employment Zones. This includes the retention of important natural features and the provision of natural buffers, as well as building heights responding to the surrounding context.
- 6.3.2. Economic and Tourism (ET) Policy 3 Enterprise and Employment (EE) under Section 4.3.3 states that *"it is the policy of the Council to support and facilitate enterprise and employment uses (high-tech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas."* Objective 2 under this policy seeks *"to prioritise high tech manufacturing, research and development and associated uses in the established Business and Technology Cluster to the west of the County (Grange Castle and Citywest areas) to maximise the value of higher order infrastructure and services that are required to support large scale strategic investment."* Objective 5 seeks *"to ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme."*
- 6.3.3. Energy (E) Policy 11: Service Providers and Energy Facilities under Section 10.2.9 states that *"it is the policy of the Council to ensure that the provision of energy facilities*

is undertaken in association with the appropriate service providers and operators, including ESB Networks, Eirgrid and Gas Networks Ireland. The Council will facilitate the sustainable expansion of existing and future network requirements, in order to ensure satisfactory levels of supply and to minimise constraints for development.”

- 6.3.4. There is a 6-year roads objective for the construction of the New Nangor Road and Baldonnel Road extensions. These roads have now been completed in the vicinity of the site.

6.4. Natural Heritage Designations

- 6.4.1. The Grand Canal proposed Natural Heritage Area is located approximately c.100m north of the subject site. The Rye Water Valley/ Carton SAC (Site code: 001398) is the nearest European Site located approximately 4.9km north-west of the subject site. The River Griffeen is a tributary of the River Liffey which flows into Dublin Bay c. 15km east of the development site.

7.0 Assessment

- 7.1. The proposed development as outlined above will comprise of a connection between the permitted 110kV KV GIS substation at the Edgeconnex site where construction has commenced (18A/0298) and the Grange Castle substation, which is long established. I have considered the application and the plans and particulars submitted and the submissions received and consider that the issues for consideration before the Board pertain the following:

- Principle of Development
- Residential Amenity
- EIAR
- Appropriate Assessment

Principle of development

- 7.2. The proposed development as mentioned above is contained within the Grange Castle Business Park and the Edgeconnex Campus. The lands are zoned EE within the South Dublin County Development Plan which seeks *“to provide for enterprise and*

employment related uses.” The provision of utilities such as that proposed are acceptable in principle under this zoning objective. The proposed development has been designed in order to support current power demand and future growth within the area inclusive but not limited to the power requirements of the permitted data centre storage facility adjacent to the site.

- 7.2.1. The proposed development is in accordance with South Dublin County Council Development Plan Energy (E) Policy 12 which seeks to facilitate the sustainable expansion of existing and future network requirements, in order to ensure satisfactory levels of supply and to minimise constraints for development. Enterprise and employment uses (high-tech manufacturing, light industry, research and development, food science and associated uses) are supported in business park and industrial areas under Policy 3 Enterprise and Employment. These policies support the development of electricity infrastructure to serve business park uses, as is the case with the proposed and permitted developments.
- 7.2.2. At a national level, it is an objective within the National Planning Framework to seek the *“promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.”* Furthermore, it is a regional policy objective as set out in the Regional Spatial and Economic Strategy for the area to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations. The proposed grid connection will facilitate the permitted data centre development in a cluster of existing data centres in the Grange Castle Business Park where the necessary electricity infrastructure can be put in place to support the power demands of these developments.
- 7.2.3. Finally, South Dublin County Council consider that the proposed development will be of positive benefit for the sustainable development and economic growth of the County having regard to the provision of increased power supply to permitted developments. Significant precedent exists for the establishment of this use on EE zoned lands in the surrounding area, and overall, I am satisfied that the proposed development is generally in accordance with the policies and objectives of local, regional and national land use planning policy.

Residential Amenity

7.3. The proposed development will be contained entirely within the existing business park and associated lands, the nearest grouping of dwellings is located c. 0.33km to the north. It is important to note that the proposal will not encroach on residential lands and will not interfere or disrupt services in relation to electricity provision or waste or water supply. Potential impacts arising from traffic, dust, noise etc will be examined within the EIAR section of this report hereunder. I note a number of one off properties, one which is close proximity to the proposed development. Potential impacts to this property arising from the construction phase of the development are discussed under the relevant headings of the EIAR hereunder and will not be repeated here. However, it is important to note at this juncture that I am satisfied based on the information submitted that no significant impacts to current levels of residential amenity are expected to arise in relation to these properties. Overall, given the nature and limited scale of the proposed development and the distance from the development site to the nearest grouping of residential properties, I am satisfied that the proposal will not give rise to adverse impacts in relation to residential amenity.

8.0 Environmental Impact Assessment

8.1. The application is accompanied by an Environmental Impact Assessment Report (EIAR) which was prepared by Marston Planning Consultancy Ltd on behalf of the applicant. This EIA section of the report should, where appropriate, be read in conjunction with the relevant parts of the Planning Assessment above.

8.2. The application falls within the scope of the amending 2014 EIA Directive (Directive 2014/52/EU) on the basis that the application was lodged after the last date for transposition in May 2017. The application also falls within the scope of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, as the application was lodged after these regulations come into effect on 1st September 2018.

8.3. The impact of the proposed development is addressed under all relevant headings with respect to the environmental factors listed in Article 3(1) of the 2014 EIA Directive. The EIAR sets out a case regarding the need for the development (Section 1.20). The EIAR provides detail with regard to the consideration of alternatives in Section 4.0. An overview of the main interactions is provided at Section 16. Section 1.33 of the EIAR

lists the manager, which meet the requirements of the EIA Directive in my view. Details of the consultation entered into by the applicant with South Dublin County Council and other prescribed bodies as part of the preparation of the project are also set out and can be reviewed in Section 2.97 of the EIAR.

- 8.4. Article 3 (2) of the Directive requires the consideration of the effects deriving from the vulnerability of the project to risks of major accidents and / or disasters that are relevant to the project concerned. The potential for 'unplanned events' is addressed in Section 2.7.
- 8.5. The potential for 'flooding' is considered in Section 8 Hydrology. I consider that the requirement to consider these factors under Article 3(2) is met.
- 8.6. In terms of the content and scope of the EIAR, the information contained in the EIAR generally complies with article 94 of the Planning and Development Regulations 2001, as amended, all studies informing the EIAR are up to date and recently acquired. Additional pre-construction surveys will be required in order to provide up to date information in relation to bats and birds, however such issues can be adequately dealt with by condition.

Alternatives

- 8.7. The applicants considered alternatives in relation to a number of factors which include location, scale, size and design. It is stated that once the connection point was established by EirGrid, the number of alternative routes was limited primarily by the need to cross the Griffeen River as well as navigating the existing utilities in the area. There was also a need to avoid crossing the lands to the west of the Grange Castle Substation and north of the Griffeen River outside of designated SDCC wayleaves.
- 8.8. The selection of the route was further influenced by site investigations, the overall route is limited due to the requirement to link the existing connection point and the permitted substation. The aim of investigating alternatives was to limit construction works and to remain within existing wayleaves. The options were reduced to 5 alternatives which are outlined in section 4.9 of the EIAR submitted.
- 8.9. Options considered included routes both within and adjacent to the existing road infrastructure and within adjacent lands. Some routes differed at the bus terminus and

one route identified as the orange route passed along third-party lands which is significantly separated from the existing wayleave provided adjacent to the road.

- 8.10. Flexibility in relation to the method of absorption into the network is also hampered given the requirements of EirGrid in relation to electrical infrastructure and the location of the permitted substation.
- 8.11. Alternative mitigation for each area of assessment was considered, four strategies of mitigation which include; avoidance, prevention, reduction and offsetting were considered and are dealt with under each chapter of the EIAR. Mitigation measures were also considered based on the effect on quality, duration of impact, probability, and significance of effects.
- 8.12. In my opinion reasonable alternatives have been explored and the information contained in the EIAR with regard to alternatives provides an adequate justification for the route chosen and is in accordance with the requirements of the 2014 EIA Directive.

Population and Human Health

- 8.13. Section 5 of the EIAR submitted addresses population and human health. Effects are considered in the context of socio-economic and health and wellbeing considerations. CSO data was utilised to inform the socio-economic profile of the area. The EIAR included an examination of the population and employment characteristics of the area and states unemployment fell significantly in the county reflecting economic recovery in recent years. However, it is noted that the coronavirus pandemic may have altered the live register figures which were on a decreasing trend up to March 2020. Potential impacts in this regard are not considered to arise and the assessment of potential impacts is therefore focused on human health.
- 8.14. It is noted that there are a number of residential properties in proximity to the route, with the closest property located c.33 metres from the route. The next nearest properties are located c. 70 metres to the north of the canal and from the nearest part of the transmission line. Residential development is generally removed from the development site given that lands are largely within and close to Grange Castle Business Park where land use is largely industrial.

- 8.15. The proposed transmission will enter lands outside of the business park but as stated will be removed from residential properties. Thus, given the nature of the proposed development which comprises the installation of two no. underground 110kV transmission lines, potential impacts on human beings are considered to be short term and imperceptible with a positive impact on local businesses arising from an increase of 5-10 construction workers utilising local services during the installation works.
- 8.16. There is, however, a limited potential for impacts to human beings arising from dust generation as a result of construction activities. Mitigation measures are proposed to prevent such impacts and will be discussed under the relevant heading hereunder, it is therefore considered that such impacts are likely to be temporary and imperceptible.
- 8.17. With regard to the operation of the development the proposal will be located underground and will not give rise to emissions to the atmosphere. Emissions relate to the movement of maintenance vehicles to the substation which will be significantly limited in number and infrequent.
- 8.18. Noise and vibration are considered within chapter 9 of the EIAR submitted, however it is prudent to refer to such impacts in the context of human health. Construction noise impacts are not expected to rise above ambient noise levels. In addition, due to the distance of the site from residential properties, vibration arising from construction activities will also be imperceptible.
- 8.19. With regard to unplanned events, it is of note that ESB will implement an Environmental Safety and Health Management System to minimise the potential for such events to occur.
- 8.20. Overall, it is considered within the EIAR submitted that the proposed development will have a slight positive impact on the surrounding area through the provision of adequate electricity supply to the data centre which will reduce the pressure on electrical supply to the area and the additional requirement for services by employees. It is also expected that the increase in energy supply will positively impact employment opportunities in the future.
- 8.21. No impacts of significance are expected in relation to the operation of the development and no residual impacts are expected to arise in relation to human health and population. Mitigation measures in relation to air quality, noise, traffic and visual impacts are outlined within the relevant chapters and are examined hereunder.

- 8.22. I note that cumulative effects in relation to surrounding permitted and planned development have also been considered within the EIAR and no such impacts are expected to arise.
- 8.23. I have considered all of the written submissions made in relation to population and human health and the relevant contents of the file including the EIAR. I am satisfied that the potential for impacts on population and human health can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on population and human health can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Biodiversity

- 8.24. Section 6 of the EIAR submitted examines the potential for impacts to arise in relation to biodiversity. This element of the development will focus on biodiversity in general within the site and its surrounds. The lands within and adjacent to the development site are largely comprised of managed and unmanaged grassland, treelines, ornamental scrubs and large areas of hardstanding. It is of note that a separate Appropriate Assessment Screening report has been submitted and will be examined under the Appropriate Assessment Section hereunder.
- 8.25. A desktop study was carried out on the 25th February 2021 to identify any site and /or features of significance within the development site and the surrounding area. All resources are listed within section 6.17 of the EIAR. Surveys for habitats, protected, rare and invasive flora, terrestrial mammals (including bats) and amphibians and reptiles as well as ground level assessments of trees and structures with respect to their suitability for roosting bats, as well as nesting birds were undertaken on the 10th February 2021.
- 8.26. It is stated within section 6.48, that based on the surveys carried out, the development site does not contain optimal habitat for QIs of any European designated sites, it is also not hydrologically connected to the Grand Canal pNHA which is located directly to the north of the site.

- 8.27. No rare or protected flora were recorded within the proposed development site during surveys. No non-native species listed on the third schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 were recorded within the development site during surveys.
- 8.28. The lands contained a range of habitats that are stated as being typical to such commercial and industrial areas. A full list of species and habitats recorded is contained in Appendix 6.4 of the EIAR submitted.
- 8.29. All habitats present are stated to be of local importance ranging from higher value tree lines to lower value scrub.
- 8.30. A disused badger sett was discovered to the northeast of the development site in the south western end of Kischoge road near Clonburriss SDZ, however no signs of badger activity were noted within the development zone. Habitat within the development zone and surrounding area is suitable to badgers and is likely to support local badger populations, however it is stated that in the absence of any recent signs of badger, the development site may not be likely to support significant badger populations.
- 8.31. No signs of otter were found during surveys however the usage of the site by otter cannot be ruled out as they are known to utilise stream and riverbanks both up and downstream of the development site.
- 8.32. No signs of protected mammal fauna were noted within the lands, habitats at the development site are stated as not being of optimal breeding habitat but may be used for commuting or foraging by small mammals. Local small mammal populations are expected to be of local importance.
- 8.33. All breeding birds observed in the area at the time of survey were green list species and considered to be of low conservation value. Habitat suitable to overwintering birds is stated to be limited and is subject to relatively high levels of disturbance from walkers and dogs. However, it is stated that the habitat present offers suitable foraging habitat and shelter for smaller overwintering birds species such as passerine species fieldfare and redwing. Thus, it is considered within the EIAR submitted that local populations of wintering birds are of local importance and higher value.
- 8.34. With regard to bats, it is stated that the lands along the river are unlit and contain vegetation that is suitable for commuting and foraging bats. However, no trees within

the lands were identified with potential bat roosts features during the ground level assessment on the 25th February 2021. It is stated that the majority of trees within the lands are planted specimens and not highly mature. The EIAR refers to previous bat surveys carried out in the area whereby a number of bat species were recorded foraging and commuting. Bat species recorded are all common and are valued as being of local importance.

- 8.35. I note that South Dublin City Council has raised concerns in relation to the timing of surveys and it is important to note at this juncture that I am satisfied based on the information submitted that surveys and walkovers of the site have been carried within an appropriate period prior to the submission of the application. It is important to note however that pre construction visual inspections in relation to bats and birds should be carried out prior to the felling of any trees. This requirement can be adequately dealt with by way of condition should the board be of a mind to grant permission. No frogs, lizards, newts or white claw fish were observed at the time of survey, although it is noted that White Claw Fish are present in rivers adjoining the River Griffeen and as such may be present within the River Griffeen.
- 8.36. Whilst the Appropriate Assessment Screening will be discussed in detail in a separate section hereunder it is important to note at this juncture that the information submitted by the applicant concludes that the potential impacts associated within the proposed development do not have the potential to affect the receiving environment and consequently do not have the potential to affect the conservation objectives supporting the QIs or special conservation interests of any European site.
- 8.37. In terms of impacts arising from construction, I consider that the removal of habitat, noise, dust and water quality impacts are the most likely to give rise to impacts on biodiversity. Section 6.133 to 6.172 of the EIAR examines the potential for impacts to arise in relation to the foregoing sources.
- 8.38. I note that the removal of habitat will be temporary as the transmission lines will be installed underground and as such impacts are expected to be short term. Given that the majority of habitats to be removed within the development site are of local importance and comprise grassland and artificial surfaces I am satisfied that the proposed development will not result in likely significant effects on biodiversity in this regard. I further note that habitats such as dry meadows, grassy verges and depositing

lowland rivers etc will be largely retained where they fall within the footprint of the proposed development.

- 8.39. Whilst there was no evidence of species such as badgers within the development site, the proposed development will slightly reduce the amount of semi natural habitat available to local badger populations and potentially fragment habitat corridors used by badger. However, it is noted that considering the abundance of suitable habitat in the surrounding area, significant impacts are not likely to arise.
- 8.40. Overall considering that the removal of habitat is limited in terms of scale and not of significance considering the availability of suitable habitat in the surrounding area and that habitat removal will be short term I am satisfied that impacts to mammals will be insignificant.
- 8.41. With regard to impacts on bird species the applicant proposes to mitigate potential impacts by carrying out demolition and removal works outside of the seasonal restrictions. Where seasonal restrictions cannot be observed then it is proposed to carry out a breeding survey, should birds be found nesting then works will be delayed. I consider such mitigation to be standard practice which can be adequately dealt with by way of condition should the Board be minded to grant permission. It is of note that such mitigation measures also relate to bats with additional measures proposed to further protect bats in the area. Such measures include the use of directional lighting, pre-felling checking of trees for bats and replanting of vegetation after construction works.
- 8.42. With regard to impacts arising from surface water contamination, I note that the applicant proposes a number of mitigation measures which are outlined in Section 6.191 of the EIAR submitted and include but are not limited to the following:
- Use of silt curtains and fences to prevent sediment release.
 - Provision of exclusion zones between earth works and stockpiles etc.
 - Prevailing weather and environmental conditions will be taken into account prior to pouring of cementitious materials.
 - Washing out of concrete trucks on site will be avoided.
 - Fuels and chemicals will be stored in a designated bunded area

- Use of mobile fuel bowsers
- Spill response plan
- Use of tarpaulins on site
- Removal of waste soils and material from site.

8.43. Such measures are also commonly used and known to be effective. I am satisfied that the proposed works subject to the implementation of the aforementioned mitigation measures will not significantly impact water quality in the area or within the Griffeen River and as such will not significantly impact the biodiversity and availability of prey both within the development site and the surrounding area.

8.44. It is important to note at this juncture that there is an existing culvert of the Griffeen River over which the proposed transmission lines will pass. No impacts to water quality are expected subject to the use of silt traps and fences as proposed within the mitigation measures outlined.

8.45. Impacts arising from the operational stage are not considered to be significant as none of the habitats will be permanently lost.

8.46. Cumulative impacts are considered within Section 6.208 and have been examined in the context of existing and permitted development in the area such as the permitted data centres and other industrial development within the business park. The zoning objectives and policies of the South Dublin County Development Plan 2016-2022 are also considered. Given the urban setting of the development site and the nature of the proposed works and the predicted impacts associated with the development, it is considered that cumulative impacts are not expected to arise.

8.47. Overall, should the Board be of a mind to grant permission, I recommend that conditions are imposed which ensure that pre-construction surveys/visual inspections are carried in relation to the following and that mitigation outlined within the EIAR in this regard is implemented appropriately:

- Invasive species
- Bats – prior to tree felling
- Birds – if works are being carried out during breeding / nesting season.

8.48. I have considered all of the written submissions made in relation to biodiversity and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on biodiversity can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Land, soil, geology and hydrogeology

8.49. Section 7 of the EIAR submitted addresses lands, soils, geology and hydrogeology. Baseline conditions in relation to soils are outlined in section 7.9 and subsequent sections of the EIAR submitted. It is stated that the proposed development site is located within former agricultural lands whereby lands fall from east to west with topographical levels ranging from c. 67 AOD in the east to c.61 AOD in the north. The site is within the catchment of the River Griffeen and close to the Grand Canal NHA, there is no connectivity with the Grand Canal which is hydrogeological and hydrologically isolated.

8.50. I note that no illegal dumps are recorded within 500m of the site and that the lands are underlaid with 1.8 m of made ground which in turn is underlain by sandy gravelly clay to the bedrock.

8.51. GSI classification of soils in the development site and surrounding area are glacial till and rock which is close to the surface. Section 7.19 of the EIAR submitted, states that core holes were completed at 3 locations to investigate the depth and type of bedrock and location of services running through the lands and noted that no ground water was encountered during these investigations. The site is underlain by an aquifer of extreme vulnerability and there are no wells or boreholes in the vicinity. Soil samples taken are classified as non-hazardous and groundwater is of good status.

8.52. The installation of the ducting will require the excavation of one trench along each of the routes. The optimum depth of excavation will be typically 1.25m below ground level but may increase to 3.5m at utility crossings. The typical width of each trench is 0.6metres, however it is stated that this might vary depending on ground conditions.

8.53. Impacts to lands will be temporary and excavated material will be largely reused in backfilling trenches. In the event of contaminated materials being encountered these

materials will be removed from site and disposed of appropriately. Overall, it is stated that mitigation measures are incorporated into the design of the works and integral to this is the containment of contaminant sources which will ensure the protection of lands from accidental spillages. Mitigation in relation to soils etc is outlined in section 7.66 and subsequent sections of the EIAR submitted. All mitigation referred to within these sections of the EIAR are standard practice and known to be effective.

- 8.54. Accidental spillages have the potential to affect the underlying geology and hydrogeology, however it stated within section 7.59 of the EIAR submitted that there will be no storage of hazardous materials within the site which would potentially affect soils and water environments.
- 8.55. A CEMP will be finalised prior to the commencement of development which will manage construction operations in a safe and organised manner and will include all mitigation measures required to protect the surrounding environment. Overall impacts arising from construction are considered to be temporary and imperceptible.
- 8.56. Impacts arising from the operation of the development are also considered to be imperceptible but long term. No residual impacts are expected. Cumulative impacts are considered in the context of existing, planned and permitted development in the area and given the limited nature and scale of the development are not considered to arise.
- 8.57. I have considered all of the written submissions made in relation to lands, soils, geology and hydrogeology and the relevant contents of the file including the EIAR. I am satisfied that the potential for impacts on Lands, soil, geology and hydrogeology can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on lands, soils, geology and hydrogeology can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Hydrology

- 8.58. Section 8 of the EIAR submitted examines the potential for impacts to arise in relation to hydrology. The proposed development is located within the Liffey and Dublin Bay

Catchment within the sub-catchment of the Griffeen River which is a tributary of the River Liffey and has a good status.

- 8.59. The proposed cables will pass above the Griffeen River which is culverted at the point of traversing and will not encroach on the river. As mentioned above, there is potential for water quality within the Griffeen River to be affected during construction from sediment and pollutants. Mitigation is proposed, as outlined above and includes the use of silt traps and fences, the location of stockpiles away from the watercourse, and the use of bunded areas for storage of fuels and bowsers for refuelling.
- 8.60. As previously mentioned such mitigation measures are standard practice and known to be effective. It is important to note in this context that there is dense riparian vegetation along the riverbanks which will further protect the watercourse from sediment run off.
- 8.61. Surface water runoff from construction works will be collected and contained within a settlement tank and treated to ensure adequate silt removal. It is of further note that all soils will be visually examined for the presence of contaminants and excavations will remain open for a limited period to prevent ingress of water.
- 8.62. The EIAR submitted examines the potential for the development to give rise to flooding. Based on the flood mapping for the area the proposed development site is located within flood zone C and as such is at a low risk to flooding. However, it is of note that flood compensatory measures have been required within the Coolderrig substation, into which the proposed transmission line will enter, as a small part of the site is within flood zone B. The required compensatory measures have been provided along the western edge of the existing flooded area by providing a retaining structure between the existing flooded area and the proposed 20kV switch room. These works will ensure that the area is well drained thus preventing flooding. Floor levels of associated buildings are also stated within section 8.26 of the EIAR submitted as being 1.39m higher than the 1:1000yr flood event. Such measures will ensure that the transmission lines entering the substation are adequately protected in the unlikely event of a flood at the substation site.
- 8.63. Having regard to the foregoing and the location of the proposed works within flood zone C, I am satisfied that the proposed works will not be affected by flooding, nor will they exacerbate flooding in the area.

8.64. Overall, impacts to hydrology arising from construction and operation of the development are considered to be imperceptible. No residual impacts of significance are considered likely and cumulative impacts are short term and imperceptible and not of significance.

8.65. I have considered all of the written submissions made in relation to hydrology and the relevant contents of the file including the EIAR. I am satisfied that the potential for impacts on hydrology can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on hydrology can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Noise and vibration

8.66. Section 9 of the EIAR submitted examines the potential for impacts to arise in relation to noise and vibration. In order to establish baseline conditions a noise survey was carried out, noise measurements were conducted at two positions:

- North eastern corner of the site in line with the common boundary of the nearest noise sensitive locations at the junction with the R120 and the Grand Canal.
- In the vicinity of residential development to the north east of the proposed development site. The property is located on the boundary of the Grange Castle Business Park and is immediately adjacent to a number of private and commercial premises.

8.67. Noise levels at these locations are outlined in table 9.8 of the EIAR submitted and are within normal parameters for such urban locations.

8.68. In relation to the construction phase of the development, it is stated that a number of plant items will be utilised during construction, however construction will only occur during day time hours over a period of 6 weeks. Construction traffic is expected to be limited given the nature of the proposed works and as such impacts are expected to be imperceptible. Predicted impacts arising from construction are therefore considered to be negative but minor in nature and short term in duration.

- 8.69. In order to ensure noise levels are kept to a minimum during the construction phase of the development, standard mitigation measures are proposed which include limiting works which are noise generators to daytime hours, monitoring noise levels on a regular basis, selection of plant with low potential for noise generation and vibration, erection of noise barriers if required and siting of noisy plant within the furthest reaches of the site. No mitigation measure are required for the operation of the site.
- 8.70. With regard to cumulative impacts, noise generation during construction will be masked by existing traffic noise at noise sensitive locations. Given current levels of background noise, no significant cumulative noise impacts are therefore expected.
- 8.71. No residual noise impacts are predicted in relation to either the construction or operation of the development.
- 8.72. I have considered all of the written submissions made in relation noise and vibration and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on noise and vibration can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Air quality and Climate

- 8.73. Section 10 of the EIAR submitted addresses the potential for impacts to arise in relation to Air quality and climate. Baseline air quality is examined within section 10.19 and outlined within table 10.3 of the EIAR whereby PM10 (Particulate Matter) levels are accepted to be in the region of $9.8\mu\text{g}/\text{m}^3$. In terms of the sensitivity of the surrounding area I note that dust generation is the main area of concern outlined within the EIAR submitted.
- 8.74. I further note that the closest sensitive receptor in terms of air quality is a dwelling which is located c. 20 metres from the development site (it is unclear whether this dwelling is inhabited the next nearest sensitive receptor is c. 33m from the site. All sensitive receptors are indicated on figure 10.2 within the EIAR submitted and an examination of all sensitive receptors within 350 metres of the site has been undertaken.

- 8.75. The EIAR submitted states that based on an assessment of the IAQM criteria the worst-case sensitivity of the works to human health is considered to be low. Dust will arise from activities such as earthworks, track out and construction, each activity is classified in terms of the risk of dust impacts within tables 10.6-10.8 of the EIAR.
- 8.76. In summary these risk levels are considered to be low in relation all three activities given the limited quantities of material to be moved and the limited scale of the proposed works.
- 8.77. The applicant nonetheless proposes mitigation to minimise dust during construction and demolition, as set out within Section 10 of the EIAR. Such measures will be included within the CEMP which will be finalised prior to the commencement of development and will include the stockpiling of materials downwind in sheltered areas of the site and water suppression of both stockpiles and hard surfaces during dry periods.
- 8.78. Impacts in relation to climate arise in relation to vehicle emissions during the construction phase of the development. The proposed duration of construction is expected to be short term and there are no significant emissions associated with the development above what would normally be considered acceptable and appropriate to a construction development of this scale.
- 8.79. No mitigation measures are required in relation to the operational phase of the development as there are no predicted impacts to air quality or climate.
- 8.80. Overall Air quality and Climate impacts are expected to be temporary and imperceptible. No residual impacts of significance are considered likely and cumulative impacts are short term and imperceptible and not of significance.
- 8.81. I have considered all of the written submissions made in relation to air quality and climate and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on air quality and climate can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on air quality and climate can be ruled out I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Landscape and Visual Impact

- 8.82. Section 11 of the EIAR examines the potential for impacts to arise in relation to landscape and visual amenity. It is stated within this section of the EIAR that the assessment of potential landscape and visual effects is a two-stage process that involves classifying the sensitivity of the receiving environment and describing and classifying the magnitude of change in the environment resulting from the proposed development.
- 8.83. As mentioned above the site forms part of the Grange Castle Business park and the Edgeconnex campus. The site is located between the Grand Canal towpath and various industrial developments. Developments to the south of the site include Takeda Ireland Ltd, Edgeconnex Data Centre and infrastructural developments including a cable compound and pump station. To the immediate north the development site is an existing green buffer between industrial lands and Grand Canal. This area is characterised by existing fields with traditional hedgerow boundaries.
- 8.84. A landscaping survey has been undertaken by Aussen Associates on behalf of the applicant, within which the magnitude of change to the landscape is examined. It is of note that the landscape within the vicinity of the development site is characterised by the existing business park with grassed verges, hedged, wooded and treelined roads.
- 8.85. Potential visual impacts relate to the movement of earth during construction and the removal of trees and vegetation. Mitigation measures in the form of replanting and the protection of trees to be retained by the use of protective fencing are proposed to reduce potential visual and landscape impacts.
- 8.86. I note that construction works will only be visible from the existing road infrastructure in close proximity to the development site. Visibility from the surrounding landscape will be limited by the existing built developments in Grange Castle Business Park. Views from the Grand Canal towpath will be hampered by existing vegetation along the canal.
- 8.87. Overall given the nature and duration of the proposed works and the character of the surrounding area, visual and landscape impacts are expected to be slight and temporary in nature. Cumulative impacts are considered in the context of surrounding built, under construction and permitted development and due to the nature of the proposed works are not considered significant.

8.88. I have considered all of the written submissions made in relation to Landscape and Visual Amenity and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on Landscape and Visual Amenity can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on Landscape and Visual Amenity can be ruled out I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Traffic and Transportation

8.89. Section 12 of the EIAR examines the potential for impacts to arise in relation to traffic and transportation. Access to the development site is currently served by a dual carriage way which accommodates separate cycle and pedestrian facilities and regional and local routes. Pedestrian and cycle facilities are also accommodated within the internal roads of the business park and the park can also be accessed via bus services which terminate and commence adjacent to the development site. The nearest rail station to the site is c.600 metres to the north, intercity and commuter services run on this line.

8.90. It is stated within section 12.9 of the EIAR that due to the pandemic accurate baseline traffic flows have not been possible to establish. Surveys associated with surrounding developments have been reviewed to determine baseline traffic conditions.

8.91. With regard to potential impacts on traffic and transportation I note that it is stated within Section 12.25 of the EIAR that 10 construction staff are required for the proposed works and c. 3 lorries per day over a 2 month period are expected to enter and leave the site in relation to material removal during excavations and construction. This number of trips is based on a worst-case scenario that all excavated material is not reused on site. Traffic impact assessment carried out and detailed in table 12.4 and 12.5 of the EIAR demonstrates that there will be no impact on the operation of roundabouts in the vicinity of the site.

8.92. In terms of construction impacts it is proposed to employ a number of mitigation measures relating to site access, signage, fencing haul routes for materials, use of

existing construction compounds for construction staff parking and timing of deliveries. All mitigation will be outlined within a CTMP and will be monitored on an ongoing basis.

- 8.93. Residual impacts are not expected and cumulative impacts are considered in the context of surrounding built, under construction and permitted development and due to the nature of the proposed works are not considered significant.
- 8.94. I have considered all of the written submissions made in relation to traffic and transportation and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on traffic and transportation can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the potential for direct or indirect impacts on traffic and transportation can be ruled out I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Cultural Heritage

- 8.95. Section 13 of the EIAR submitted examines the potential for impacts to arise in relation to cultural heritage. A study area comprising of a buffer of 1km was investigated, it is important to note at this juncture that all recorded archaeological monuments and features are located outside of the development site boundary, geophysical investigations did not indicate any areas of significance within the areas examined within the development site.
- 8.96. A number of upstanding archaeological monuments dating to the medieval period are recorded in the wider area and previous archaeological investigations have discovered a number of prehistoric sites. These findings are outlined within section 13.12 and subsequent sections of the EIAR submitted.
- 8.97. It is of note that the surrounding lands within the business park have been subjected to significant disturbance in the past and I am satisfied that should the Board be of a mind to grant permission that archaeological monitoring can be adequately dealt with by way of condition.

- 8.98. Given the extent of the proposed works and that monitoring will be carried out during excavations I am satisfied that cumulative impacts in the context of existing and permitted development will not arise.
- 8.99. I have considered all of the written submissions made in relation to Cultural Heritage and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on Cultural Heritage can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Waste Management

- 8.100. Section 14 of the EIAR submitted examines the potential for impacts to arise in relation to Waste. It is stated that estimates of surplus made ground and soils and stones generated during the construction phase of the proposed development have been calculated by the project engineers. It is envisaged that c. 1,213m³ of waste material will be excavated from the site. Suitable stones and soils will be reused on site as backfill, soils to be removed off site will be replaced by soils of a similar volume.
- 8.101. All soils will be classified accordingly and in the event of hazardous material being excavated it is stated that this will be disposed of appropriately by licenced contractors. General domestic waste arising from construction workers will be disposed of within the construction compound and will also be removed, segregated and disposed of appropriately.
- 8.102. It is proposed that materials suitable for reuse will be used within the site boundaries, although the quantum of such materials are expected to be limited. Details of specific waste disposal will be outlined within the CEMP to be prepared prior to the commencement of development. I am satisfied that any issues pertaining to waste generated from the site can be adequately addressed by way of condition, should the Board be of a mind to grant permission.
- 8.103. Potential impacts arising from waste generation at both the construction and operational phases of the development are therefore expected to be short term and not significant.

8.104. I have considered all of the written submissions made in relation waste and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on waste can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Material Assets

8.105. Section 15 of the EIAR examines the potential for impacts to arise in relation to material assets. This section of the EIAR examines telecommunications, power supply, surface water infrastructure, foul drainage and water supply. Given that the proposed development is located within a previously developed site there is existing infrastructure present in terms of the foregoing material assets. It is proposed that the development will tie into these services and upgrade where required.

8.106. With regard to power, it is stated that excavations and works will be carried out in consultation with the ESB Networks to ensure there is no impact on users. Welfare facilities will be provided for staff within the construction compound and the increase to the foul water sewer will be imperceptible.

8.107. No residual impacts are expected in relation to the construction phase of the development. Cumulative impacts were considered within the EIAR in relation to material assets and were considered to be imperceptible.

8.108. I have considered all of the written submissions made in relation material assets and the relevant contents of the file including the EIAR. I am satisfied that the potential for direct or indirect impacts on material assets can be ruled out. I am also satisfied that cumulative effects, in the context of existing and permitted development in the surrounding area and other existing and proposed development in the vicinity of the site, are not likely to arise.

Interactions between the Factors and Cumulative Impacts

8.109. I have considered the interrelationships between factors and whether these may as a whole affect the environment, even though the effects may be acceptable when considered on an individual basis. Section 16 of the EIAR examines the potential impact of interactions.

8.110. I consider that there is potential for population and human health to interact with all of the other factors (biodiversity, water, air and climate, noise, landscape and visual, cultural heritage and material assets – traffic). The details of all other interrelationships are set out in Section 16 of the EIAR which I have considered.

8.111. I am satisfied that effects as a result of interactions, indirect and cumulative effects can be avoided, managed and / or mitigated for the most part by the measures which form part of the proposed development, the proposed mitigation measures detailed in the EIAR, and with suitable conditions.

8.112. **Reasoned Conclusion**

8.113. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submission from the planning authority, prescribed bodies in the course of the application it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- Positive impacts on **population and human health** in terms of the local economy from increased spending and jobs during the construction period.
- Negative impacts on **human health and population** arising from construction include noise, traffic and dust disturbance to residents of neighbouring dwellings. All of these impacts are imperceptible. Adequate mitigation measures are proposed to ensure that these impacts are not significant and include adequate mitigation for operational noise.
- Potential negative impacts on **Air and Climate** relate to the release of dust into the locality and emissions arising from construction traffic. Such impacts are adequately mitigated for within the EIAR submitted and can therefore be ruled out.
- Negative impacts on **Water** could arise as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering the drainage system and discharging to the Griffeen River thereafter during the construction phase. These impacts will be mitigated by measures outlined within the application and EIAR and can therefore be ruled out.

- Negative impact to **Land and Soils** relates to the accidental spillages of chemicals, hydrocarbons or other contaminants. These impacts will be mitigated by measures outlined within the application and EIAR and can therefore be ruled out.
- Negative **Noise** impacts arise during the construction phase from construction activities. These impacts will be mitigated through adherence to best practice construction measures. Noise disturbance from the operation of construction plant is not likely to arise given the separation distances between the development site and residential properties. Impacts arising from noise disturbance during both the construction and operational stage can therefore be ruled out.
- Negative **traffic** impacts do not arise, traffic increases are imperceptible given the limited scale of the development and can therefore be ruled out.
- Potential impacts on **Cultural Heritage and the Landscape** will be mitigated during the construction stage through archaeological monitoring of ground works.

8.114. The EIAR has considered that the main direct and indirect effects of any significance arising from the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. I am satisfied on the basis of the submitted information that impacts can be adequately mitigated and that no residual significant negative impacts on the environment would remain as a result of the proposed scheme. I am, therefore, of the view that the potential for unacceptable direct or indirect effects on the environment can be excluded on the basis of the submitted information.

Appropriate Assessment

8.115. An Appropriate Assessment Screening document has been prepared by Scott Cawley on behalf of the applicant. The Screening document describes the proposed development, its receiving environment and relevant European Sites in the zone of influence of the development. It was informed by desktop study of maps and ecological and water quality data from a range of sources and a site survey on the 10th February 2021.

8.116. The report concluded that all sites were outside of the zone of influence of the development. Rye Water Valley/Carton SAC (site code 001398) was identified as the closest designated site to the development, however Dublin Bay SAC (site code: 000210) was identified as being connected via the Liffey River to the site. However given the distance (20km) between the development site and Dublin Bay, the nature of the works and the dilution effect of the Griffeen River, it is not considered that the proposed development would impact water quality in the downstream receiving waters of Dublin Bay.

8.117. It is noted that whilst mitigation measures are proposed within the EIAR, such measures are required under the objectives of the Greater Dublin Strategic Drainage study and South Dublin County Council Development Plan and not for the purposes of avoiding or reducing any potential harmful effects to any European sites.

8.118. This site along with the others outlined in Section 3.2.1 of the Appropriate Assessment Screening document were deemed to be outside of the zone of impact of the proposed development.

8.119. As there is no meaningful connectivity to any other European Sites, the applicant considered that likely significant effects on European sites could be ruled out at preliminary screening stage.

8.120. I have reviewed all sites considered by the applicant which are outlined in section 3.2.1 of the Appropriate Assessment Screening and I have reviewed the designated sites within an area in excess of 15km radius of the development site and consider following to have a connection/pathway to the development site and I therefore considered these sites in detail for the purpose of screening for Appropriate Assessment.

8.121. Table 1.0

European Site Name & Code	Distance	Qualifying Interest	Source-pathway-receptor
Rye Water Valley / Carton SAC 001398	c.4km	Petrifying springs with tufa formation (Cratoneurion) [7220] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]	Site is located upstream of the development, no meaningful

		Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]	pathway to the site.
North Dublin Bay SAC 000206	c.20km	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p>Petalophyllum ralfsii (Petalwort) [1395]</p>	No meaningful pathway due to the dispersion and dilution of the River Griffeen and the Irish Sea..
South Dublin Bay SAC 000210	c.20km	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Embryonic shifting dunes [2110]</p>	No meaningful pathway due to the dispersion and dilution of the River Griffeen and the Irish Sea.
North Bull Island SPA 004006	c.20km	<p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p>	No meaningful pathway due to the dispersion and dilution of

		<p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Wetland and Waterbirds [A999]</p>	<p>the River Griffeen and the Irish Sea.</p>
<p>South Dublin Bay and River Tolka Estuary SPA</p> <p>004024</p>		<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p>	<p>No meaningful pathway due to the dispersion and dilution of the River Griffeen and the Irish Sea.</p>

		Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]	
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8.122. The proposed development as outlined above will comprise the installation of 2 no. transmission lines and associated works largely within an existing business park. Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on European sites:

- Construction & operation related - uncontrolled surface water/silt/ construction related pollution/spillage of fuels.

8.123. It is important to note at this juncture that all of the above sites are significantly removed from the proposed development site. There is a hydrological pathway via the River Griffeen within the development site that discharges to Dublin Bay via the River Liffey from which above sites are accessed. As outlined within the applicants Appropriate Assessment Screening document the closest site to the development is the Rye Water Valley / Carton SAC which has no meaningful connection to the site being located upstream of the development. Dublin Bay is connected via the River Liffey but is significantly removed from the development by in excess of 20km. I concur with the applicants screening assessment in this regard and agree that given the significant distance separating the proposed works and the SACs listed in table 1.0

above that in the event of pollution or sediment entering an adjacent watercourse, such pollution would be diluted and dispersed to an imperceptible level at the point of contact with any of the designated sites within table 1.0 above and as such significant effects to these designated sites are not likely to arise and can be ruled out.

Screening Determination

8.124. Overall, the proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No's, 004024, 004006, 000210, 000206, 001398 or any other European site, in view of the sites Conservation Objectives, and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required. This determination has been based on the significant distance of the proposed development from any designated sites and the lack of any meaningful pathway between the development site and such designated sites.

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

9.0 Recommendation

9.1. I recommend that planning permission for the proposed development should be approved, subject to conditions, for the reasons and considerations as set out below.

10.0 Reasons and Considerations

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

a) EU legislation including in particular:

- The relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,

- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
- b) National Legislation including in particular:
- Section 182A of the Planning and Development Act 2000 (as amended)
- c) Regional Policy including in particular:
- The Regional Spatial and Economic Strategy for the Eastern and Midlands Region,
- d) Local Planning Policy including in particular:
- The provisions of the South Dublin County Development Plan, 2016-2022
- e) The following matters:
- the nature, scale and design of the proposed works as set out in the application for approval and the pattern of development in the vicinity,
 - the documentation and submissions of the Local Authority, the environmental impact assessment report and associated documentation submitted with the application, and the range of mitigation and monitoring measures proposed,
 - the submissions and observations made to An Bord Pleanála in connection with the application,
 - other relevant guidance documents,
 - the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites, and
 - the report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening and environmental impact assessment.

10.2. Proper Planning and Sustainable Development

10.2.1. 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 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.

10.3. Environmental Impact Assessment

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

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and other associated documentation submitted in support of the application,
- (c) the submissions from the applicant, and prescribed bodies in the course of the application, and
- (d) the Inspector's report.

The Board agreed with the summary of the results of consultations and information gathered in the course of the environmental impact assessment, and the examination of the information contained in the Environmental Impact Assessment Report and the associated documentation submitted by the applicant, and the submissions made in the course of the application as set out in the Inspector's report. The Board was satisfied that the Inspector's report sets out how these various environmental issues were addressed in the examination and recommendation which are incorporated into the Board's decision.

Reasoned Conclusion of the Significant Effects:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the

significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

- Positive impacts on **population and human health** in terms of the local economy from increased spending and jobs during the construction period.
- Negative impacts on **human health and population** arising from construction include noise, traffic and dust disturbance to residents of neighbouring dwellings. All of these impacts are imperceptible. Adequate mitigation measures are proposed to ensure that these impacts are not significant and include adequate mitigation for operational noise.
- Potential negative impacts on **Air and Climate** relate to the release of dust into the locality and emissions arising from construction traffic. Such impacts are adequately mitigated for within the EIAR submitted and can therefore be ruled out.
- Negative impacts on **Water** could arise as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering the drainage system and discharging to the Griffeen River thereafter during the construction phase. These impacts will be mitigated by measures outlined within the application and EIAR and can therefore be ruled out.
- Negative impact to **Land and Soils** relates to the accidental spillages of chemicals, hydrocarbons or other contaminants. These impacts will be mitigated by measures outlined within the application and EIAR and can therefore be ruled out.
- Negative **Noise** impacts arise during the construction phase from construction activities. These impacts will be mitigated through adherence to best practice construction measures. Noise disturbance from the operation of construction plant is not likely to arise given the separation distances between the

development site and residential properties. Impacts arising from noise disturbance during both the construction and operational stage can therefore be ruled out.

- Negative **traffic** impacts do not arise, traffic increases are imperceptible given the limited scale of the development and can therefore be ruled out.
- Potential impacts on **Cultural Heritage and the Landscape** will be mitigated during the construction stage through archaeological monitoring of ground works.

Having regard to the above, the Board is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Board is satisfied that the reasoned conclusion is up to date at the time of making the decision.

Appropriate Assessment Screening

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed development, the documentation on file, in particular the Appropriate Assessment Screening Report submitted in support of the proposed development, the submissions on file and the assessment of the Inspector in relation to the potential for significant effects on European Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector. The Board concluded that, by itself and in combination with other development in the vicinity, the proposed development would not be likely to have significant effects on any European Site in view of the Sites' Conservation Objectives. In reaching this conclusion, the Board took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

11.0 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
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	<p>authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The mitigation measures identified in the EIAR and other plans and particulars submitted with the planning application, shall be implemented in full by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this permission.</p> <p>Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.</p>
3.	<p>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 operational phases of the proposed development.</p> <p>Prior to commencement of development, and following consultation with Irish Water, the developer shall agree with the Planning Authority proposals for all works as they affect water and drainage services, together with written commitment to undertake the proposed development in accordance with this agreement.</p> <p>Reason: In the interest of environmental protection and public health.</p>
4.	<p>The landscaping proposals to replace felled trees and hedging shall be carried out within the first planting season following completion of construction of the proposed development. 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 originally required to be planted. The landscaping shall be maintained at regular intervals.</p> <p>Reason: To blend it into its surroundings in the interest of visual amenity.</p>

5.	<p>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 local authority, generally in accordance with the Outline CEMP included in the Environmental Impact Assessment Report. The CEMP shall incorporate the following:</p> <ul style="list-style-type: none"> (a) a detailed plan for the construction phase incorporating, inter alia, the 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 planning application and supporting documentation during the construction period, (c) an emergency response plan, and (d) proposals in relation to public information and communication. <p>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 local authority.</p> <p>Reason: In the interest of environmental protection and orderly development.</p>
6.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the undertaker shall –</p> <ul style="list-style-type: none"> (a) notify the local authority in writing at least four weeks prior to the commencement of any site operations (including hydrological and geotechnical investigations) relating to the proposed development, (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and (c) provide arrangements, acceptable to the local authority, for the recording and for the removal of any archaeological material which

	<p>the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
7.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, a Traffic Management Plan and a Waste Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of orderly development and the protection of the environment</p>
8.	<p>Prior to the felling of trees a visual assessment shall be undertaken to determine the presence of bats.</p> <p>Reason: In order to protect bat species.</p>
9.	<p>No trees or hedges shall be removed within nesting season, should the necessity arise to fell within this period a visual assessment shall be carried out to determine the presence of nesting birds. In the event that nesting birds are found no felling shall occur until the appropriate period.</p> <p>Reason: In the interest of the protection of biodiversity.</p>

Sarah Lynch
Senior Planning Inspector

24th August 2021