



An
Bord
Pleanála

Inspector's Report

ABP-314777-22

Development	Construction of temporary emergency electricity generation power plant
Location	Huntstown Power Station, Johnstown, Co. Dublin
Planning Authority	Fingal County Council
Applicant	Department of the Environment, Climate and Communications
Type of Application	EIA Screening Determination
Date of Site Inspection	19 th October 2022
Inspector	Máire Daly

Contents

1.0 Introduction.....	3
2.0 Pre- Application Consultation	3
3.0 Site Location and Description	4
4.0 Proposed Development	5
5.0 Request for Determination.....	9
6.0 Planning History.....	9
7.0 Policy Context.....	12
8.0 Legislation and Guidelines.....	18
9.0 Consultee Responses.....	24
10.0 Assessment.....	25
11.0 Recommendation	46
12.0 Reasons and Considerations	46

1.0 Introduction

- 1.1. The subject application, received from the Department of the Environment, Climate and Communications, seeks a determination from the Board under Section 181(2T)(a)(i) of the Planning and Development Act 2000, as amended, as to whether the proposed development for the construction of a temporary emergency electricity generating plant at Huntstown, Johnstown, Co. Dublin would be likely to have a significant effect on the environment in accordance with Section 176A of same act.
- 1.2. There is a concurrent request for the Board to make a screening determination in accordance with Section 177U of the Planning and Development Regulations 2001, as amended, as to whether the development application would be likely to have significant effect either individually or in combination with other plans or projects on a European site i.e. Screening for Appropriate Assessment (ABP-314778-22).

2.0 Pre- Application Consultation

- 2.1. In March 2022 the Minister for the Environment, Climate and Communication requested Pre-Application Consultations under Section 181 (2R) of the Planning and Development Act, 2000, as amended in respect of the construction of a temporary emergency electricity generation power plant at Huntstown, Johnstown, County Dublin. Three pre-application meetings were held with representatives of this department on behalf of the Minister in relation to the requirements under Section 181(2T)(a) of the Act and the prospective applicant's right to apply for a determination under Sections 176A and 176B or Section 177U, as to whether a proposed development would be likely to have a significant effect on the environment. These meetings took place on 5th April, 18th May and 10th August 2022.
- 2.2. It should be noted at the outset that the prospective applicant is not seeking planning permission for the proposed development, as this is provided for by way of the emergency provisions provided in Section 181(2)(a) of the Planning and Development Act 2000, as amended. This application and the assessment in the report that follows concerns solely the provisions as listed under Section 181(2T)(a) of the Planning and Development Act 2000, as amended, in relation to the prospective applicant's right to apply for a determination under Sections 176A and 176B in relation to EIA Screening.

3.0 Site Location and Description

- 3.1. The subject site which has a total area of approx. 4.2ha is located within the existing Huntstown Power Station complex which has been operational since circa 2000. Huntstown Power Station is located c. 1.2km to the northwest of Junction No.5 of the M50 motorway and c. 8.0km northeast of Dublin city centre. The main elements of the subject development are to be located in an area on the eastern side of the existing power station site that is currently used as a container storage, set down and car parking area. The proposed temporary emergency generation development boundary extends to the west to include a small extension to an existing Above Ground Installation (AGI) boiler house within the Gas Networks Ireland (GNI) compound. Other elements of the site are also to be located along the northern perimeter of the existing power plant with connections to existing on-site utilities infrastructure/services, including new high pressure gas lines.
- 3.2. The site is bound to the east by a grassed area with adjacent treeline and hedgerow. To the east of this is and outside of the site boundary is an existing drainage ditch. A set of 110kV overhead lines traverse the site in a north - south direction towards to the Finglas 220kV substation complex to the south-east of the site. These lines have been subject of a permitted planning application for undergrounding (Planning Ref. FW21A/0144). A large storage shed is located to the centre of the proposed site c. 222m from the front (southern end) of the site. The land is currently zoned "Heavy Industry" under the current Fingal County Development Plan 2017-2023, as varied. The majority of the proposed development site is already levelled and compacted. The northern most area of the site, which is currently beyond the existing Huntstown site fenced perimeter, is comprised of a flat grassed area with a band of deciduous trees beyond this to the north, which in turn delineate the northern boundary of the proposed site.
- 3.3. The surrounding area is chiefly characterised by industrial and commercial uses, including heavy industry (power generation and transmission), commercial warehousing (including a Home and Garden Centre) and logistics, quarrying, agricultural and limited residential uses. The Peter McVerry Trust sheltered housing facility and the Dogs Trust (Dog Rescue and Rehoming Charity), are located to the north and northeast of the site respectively. The site is also bounded to the south by

a vehicular entrance leading to the Huntstown Quarry and an Anaerobic Digestion Plant. Lands to the immediate east are currently under appeal to the Board (ABP-313583-22) for a Data Centre. A number of large logistics warehouse parks are located to the north-east of the site including the Dublin Airport Logistics Park and Vantage Business Park, Coldwinters.

4.0 Proposed Development

4.1. Overview and Project Description

- 4.1.1. The proposed development aims to temporarily reinforce the transmission network and facilitate the provision of temporary emergency power generation to support infrastructure and capacity. The proposed development is required in response to the national emergency relating to a forecasted shortfall in electricity supply for the next 5 winters. The forecasted shortfall for the next 5 winters are predicted as follows: 260MW for 2022/2023, rising to 1050MW in 2023/24 and 1850MW in 2024/25. The shortfalls are expected due to unexpected generator outages and delays in delivery of new gas fired generation capacity; limited interconnector support; poor plant performance and cold weather fronts with record peak electricity demand. The proposed development is therefore a critical temporary emergency power generation and transmission asset, required as a direct response to addressing and mitigating national risk to power disruption, supply and demand. The submitted documents also refer to the wider context of the proposed development in the EU which has highlighted the need for greater energy security of supply by adding new momentum to the objective of the European Green Deal.
- 4.1.2. The proposed development which comprises a temporary, gas fired power generation facility is to be located on an existing power station site that has been in situ for over 20 years. The design of the proposed development is marginalized, and units will be delivered preassembled and will connect to existing on-site utilities infrastructure/services. It is intended that the power generation facility will be operational for a minimum of three years and a maximum of five years. The facility will only be run when the system is in alert or emergency state.
- 4.1.3. The principal elements of the proposed development include the following:

38 No. 1.43MWe nominal capacity gas generator sets based on the reciprocating internal combustion technology (Janbacher J420 units) to provide a nominal electrical output of 50MW (electrical output). Each generator unit is typically housed in 2 no. stacked ISO shipping containers and, in this case, a top attenuation unit is added, with each generator set comprising/ incorporating the following:

- an engine container (approx. 6.05m L x 2.4m W x 2.6m H).
- an engine cooling module container (approx. 6.05m L x 2.4m W x 2.6m H), stacked on top of each engine container.
- an attenuation unit with an exhaust silencer (approx. 6.05m L x 2.4m W x 2.6m H) that sits on top of the cooling module container.
- one exhaust gas flue exit point with a diameter of approx. 0.4m (at approx. 8m height after the attenuator unit).
- 2 no. to 4 no. exhaust flues each approx. 0.4m in diameter will be extended and grouped/bundled together and supported by a total of 12 no. 25m (above ground level) high chimney structures.

The proposal also includes the following elements:

- a 1250kVA mobile diesel generator for limited occasional black-starting the temporary emergency generation plant (approx. 6.05m L x 2.4m W x 2.6m H).
- 10 no. 6.3MVA Transformers (each approx. 6.05m L x 2.4m W x 2.6m H).
- a ZS1 Switchgear (approx. 6.05m L x 2.4m W x 2.6m H).
- a 70MVA Transformer 11/110kV (approx. 7.3m L x 3.1m W x 3.9m H).
- a 110kV Air-Insulated Switchgear (AIS) System (approx. 31.6m L x 6.6m W x 7m H).
- 2 no. Series Reactors (each approx. 6.5m L x 5m W x 5.6m H).
- a Neutral Earthing Transformer (approx. 2.3m L x 1.9m W x 2m H).
- high Pressure Gas Pressure Reduction Station (approx. 10m L x 6m W x 2.5m H).
- 10 no. Medium Pressure Gas Trains (each approx. 4m L x 1m W x 1.4m H).

- new High Pressure Gas Lines (28 and 42 barg) to the existing Huntstown Power Station Gas Networks Ireland (GNI) site, extension to the existing AGI boiler house within the Gas Networks Ireland (GNI) compound (approx. 4.0m L x 3.8m W x 3.5m H), and an increase in the capacity of the existing 28 barg gas supply system.
- above-ground pipe and cable-bridge(s) between the gas pressure reduction stations and the generator units and 110kV transformer.
- 20ft Control room container to house the Supervisory Control and Data Acquisition (SCADA) panel.
- control containers for the Air-Insulated Switchgear equipment comprising one 40ft container and one 20ft container.
- acoustic wall (approx. 102m L x 0.4m W x 7m H) to the immediate north and east of the 38 no. proposed generator units and 5m containers wall on part of the eastern side (approx. 55m L x 2.4m W x 5.2m H). 2.6m high chainmail security fencing topped with barbed wire around the perimeter of the site.
- 2 no. new lightning masts, approx. 16m H.
- replacement/ relocated tarmac/laydown area for existing displaced equipment and car/ vehicle parking and replacement storage buildings/ offices/ workshops.
- new staff welfare facilities comprising a kitchen/diner container, a toilet block container and an offices container (each approx. 6.05m L x 2.4m W x 2.6m H).
- new foul drainage.
- extension to existing site stormwater drainage, including attenuation and hydrocarbon interceptor serving the proposed hardstanding areas.
- 3 no. workshop/stock containers (each approx. 6.05m L x 2.4m W x 2.6m H).
- bunded chemical and oil storage areas.
- lighting to facilitate the proposed development.
- demolition of existing stores building (approx. 34m L x 23m W x 8.0m H).
- new permanent stores building (29.5m L x 21.5m W x 10.3m H).

- site development works and landscaping
- 4.1.4. The total proposed site area is approx. 4.2 ha. An adjacent grassed area with some hedgerow to the east and north will be developed as an area of hardstanding as a replacement parking, storage and laydown area (combination of tarred surface and Clause 804).
- 4.1.5. The development will connect to the existing stormwater system and gas and electricity infrastructure on site. A new foul drainage network will collect all discharges from the temporary welfare facilities and foul wastewater will discharge to an existing septic tank within the Huntstown Power Plant complex which will be emptied, as is current procedure, by a licenced contractor to an approved licenced facility.
- 4.1.6. It is intended that the development will operate on natural gas supplied from an existing GNI AGI, located to the north-west of the proposed temporary emergency power generation facility. Power generated by the temporary emergency generating facility will be exported to the national grid via an underground cable connection to the existing Finglas 220kV substation (consented under Planning reference: FW21A/0144), located c.800m to the south-east of the site.
- 4.1.7. The submitted EIA Screening report states that the operation of the plant will be an activity regulated by a revised Industrial Emissions Licence (P0483-04) and must therefore ensure that compliance with the licenced air, stormwater and noise emissions limit values when operational.
- 4.1.8. As required under the EirGrid/ CRU procurement process, the proposed development is a stand-alone, temporary electricity transmission generation plant/ installation. It will not function as, nor is proposed as, an extension to any existing power plant facility and there is no functional dependency between Huntstown 1 and 2 and the proposed temporary emergency generation facility. It does not integrate into the existing plant in any respect, aside from using the same gas supply pipeline, earth grid and limited services infrastructure - this would be the situation with any development, of any nature, which links into existing service/ utility infrastructure. The temporary emergency generating plant is proposed to be installed and operational as such, for up to five years, from summer 2023 to late 2027.

5.0 Request for Determination

- 5.1. The Minister for the Environment, Climate and Communications has requested that An Bord Pleanála under Section 181(2T)(a)(i) of the Planning and Development Act 2000, as amended, make a determination in accordance with that paragraph as to whether the proposed development is likely to have significant effects on the environment (in accordance with Section 176A).
- 5.2. The question for determination by the Board is whether the proposed development requires Environmental Impact Assessment to be carried out. An EIA Screening report was submitted to the Board on 4th October 2022, this document was accompanied by the following documents which form appendices to the main report:
- A. Supporting Information to the EIA Screening
 - B. Construction Environmental Management Plan
 - C. Traffic Management Plan
 - D. COMAH Land Use Planning Assessment
 - E. Air Quality Supporting Information
 - F. Photomontages
 - G. Landscape Plan
- 5.2.1. Schedule 7A of the PDR 2001, as amended, relates to information to be provided for the screening of sub threshold development for the purposes of EIA. The applicant has submitted the information set out in Schedule 7A of the PDR within the EIA Screening Report and its associated appendices.

6.0 Planning History

- 6.1. **Subject site – other developments which directly overlap/directly adjoin current site:**

ABP Ref: 311528 – Permission sought for the construction of a 2 storey 220kV GIS substation known as 'Mooretown', 4 underground transmission cables and all associated and ancillary site development and construction works. Decision pending.

ABP Ref: 313583 – Permission sought for the demolition of 2 no. existing residential dwellings and construction of 2 no. data hall buildings. EIAR submitted with application. Decision pending.

Fingal Co. Co. (FCC) ref: FW21A/0144 – Permission granted in October 2021 for the installation of electrical infrastructure between Finglas 220kV Substation and Huntstown Power Station to facilitate the retirement of existing Electricity Supply Board overhead powerlines and facilitate site clearance for the future development of a data centre and substation (subject to separate planning applications).

6.2. **Licences relevant to the subject site;**

Ref. P0483-04 - Industrial Emissions Licence for Huntstown 1 CCGT – Licensed February 2013. In accordance with the 2013 amendment of the EPA Act and Waste Management Act and to give effect to the Industrial Emissions Directive, the licence was amended on the 19th December 2013 to incorporate the requirements of an Industrial Emissions Licence.

Ref P0072-02 - Industrial Emissions Licence for Huntstown 2 CCGT – Licensed January 2013.

6.3. **Other Industrial, Utility Infrastructure and Commercial Developments within 1km of subject site:**

ABP Ref: 312131 - Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility. Decision pending.

FCC Ref: FW22A/0068 – Permission granted in July 2022 for 1 no. building for warehouse/logistics use, to be known as Unit 6, with a gross floor area of 9,821 sq.m. The building will measure 18.1m high (at parapet level) and have 2 storey ancillary offices. Elevational signage will be provided. The unit will form part of Phase 2 of Vantage Business Park along with Units 3, 4 and 5 (permitted under reference FW20A/0211), Phase 1 to the south consists of Unit 1 under construction and Unit 2 complete in 2019.

ABP Ref: 309855-21 – Permission granted in October 2021 for the development comprising the provision of 4 No. warehouses with marshalling offices, ancillary office space, staff facilities and associated development. Unit 1 will have a gross floor area of 21,578 sq.m; Unit 2 will have a gross floor area of 9,206 sq.m; Unit 3

will have a gross floor area of 16,525 sq.m; and Unit 4 will have a gross floor area of 7,342 sq.m. A gate house with a gross floor area of 14 sq.m. will be positioned to the south-west corner of the site. The development will also include the repositioning of the access from the L3125 Road to the north of the site to provide a new entrance and a second vehicular access will be provided from the R135/Elm Road to the south-west. Road upgrade works are proposed along the L3125 to the north of the site. There will also be internal roadways; pedestrian access; 502 No. ancillary car parking spaces etc. The total gross floor area of the development is 5,763 sq.m. (including warehouse structures, gate house and ESB substations).

FCC Ref: FW20A/0211 – Permission granted in May 2021 for development consisting of 3 no. buildings for industrial/warehouse/logistics use (Units 3,4 and 5) with gross floor area of 24,356sq.m. Each building will measure 18.1m high (at parapet level) and have 2 storey ancillary offices. The units will form Phase 2 of the Vantage Business Park, with Phase 1 to the south (units 1 and 2) under construction. The proposed development includes 39 HGV parking spaces, 224 car parking spaces, 134 cycle parking spaces, 29 dock levellers and 7 grade loading bays.

FCC Ref: FW20A/0219 – Permission granted in Feb 2021 for an amendment to the original planning permission, at this site, for a gas peaking facility with 10 no. containerised gas fired generating units, with an export capacity of 20 megawatts (MV) under planning reference FW19A/0090. Amendments proposed to the gas peaking consist of the installation of 6 no. battery storage units with an export electricity capacity of 10-15 MV and 4 no. containerised gas fired generating units with an export electricity capacity of 10MV, in replacement for the 10 no. containerised gas fired generating units, granted under planning reference FW19A/0090. 3 no. inverter transformers will also be added to the site, being the battery storage units.

FCC Ref: FW20A/0021 – Permission granted in July 2020 for development consisting of storage and logistic facilities comprising yards, warehouses, workshops and ancillary offices at Plots 1, 3, 4, 5, 6, 7, and 9 and amendment to permitted development (Reg. Ref. FW19A/0101 and F18A/0139) at Plot 8 and internal road network at Dublin Inland Port. All development to take place on a site of c. 10.4 ha. 10 year planning permission.

FCC ref: FW19A/0090 – Permission granted in January 2020 for Installation of 10 no. containerised gas fired generating units with an export electricity capacity of 20 megawatts and underground cabling route c 1.45km along the R135 road.

FCC Ref: FW19A/0015 – Permission granted in April 2019 for development will consist of a Battery Energy Storage System (BESS) which will include up to 9 no. containerised battery storage modules (up to 14m length, 2.44m wide and 2.9m high) and ancillary equipment.

ABP Ref: 301798-18 – Permission granted in April 2019 for Regional Biosolids Storage Facility (Strategic Infrastructural Development) – as part of Ringsend WwTP upgrade SID.

FCC Ref: FW18A/0159 - Permission granted in Jan 2019 for an increase in the annual volume of waste to be imported to the permitted bioenergy plant at Huntstown, North Road, Finglas, Dublin 11. The proposed increase is 9,900 tonnes, which would take the permitted volume from 90,000 tonnes to 99,900 tonnes.

6.4. **Licences relevant to the nearby sites;**

Ref: P0993-02 - Industrial Emissions Licence for the operation of an anaerobic digestion plant (including the associated wastewater treatment plant) operated by Huntstown BioEnergy Limited). Licensed August 2020.

Ref: W0277-03 - Waste Licence for Huntstown Inert Waste Recovery Facility. This relates to the infill of a quarry void using natural stone and soil and to the recovery of C&D waste at the new C&D waste recovery facility. Licensed October 2018.

7.0 **Policy Context**

7.1. **European Policy and Legislation**

European Green Deal

- 7.1.1. The European Green Deal, approved 2020, is a set of policy initiatives by the European Commission with the overarching aim of making the European Union (EU) climate neutral in 2050. An impact assessed plan will also be presented to increase the EU's greenhouse gas emission reductions target for 2030 to at least 50% and towards 55% compared with 1990 levels. The plan is to review each

existing law on its climate merits, and also introduce new legislation on the circular economy, building renovation, biodiversity, farming and innovation.

Recast Renewable Energy Directive (Revision 2018/2001 [REDII])

- 7.1.2. This revision of REDI requires that the EU 2030 target for the share of renewable energy consumed in Member States should be at least 27%, and it established a binding target of at least 32% of renewable energy for the EU by 2030. Member states are required to establish their contribution to the achievement of that target as part of their integrated national energy and climate plans.

Energy Roadmap 2050

- 7.1.3. This 2011 Roadmap deals with the transition of the energy system in ways that would be compatible with the greenhouse gas reductions targets set out in REDI.

Renewable Energy Directive (2009/28/EC [REDI])

- 7.1.4. This Directive requires a commitment to produce energy from renewable sources and set national binding targets on the share of renewable energy in energy consumption and in the transport sector to be met by 2020. It aimed to make renewable energy sources account for 20% of EU energy by 2020. Ireland had a national target of 16%. The government decided that 40% of electricity consumed in 2020 would be generated by renewables sources. Members States must submit National Renewable Energy Action Plans and Progress Plans to the EC.

Large Combustion Plant Directive (2001/80/EC)

- 7.1.5. This Directive requires reductions in emissions of acidifying pollutants, particles and ozone precursors.

7.2. National Policy and Legislation

Development (Emergency Electricity Generation) Act 2022 (October 2022)

- 7.2.1. This Act provides for emergency measures for electricity generation development to ameliorate and protect security of supply of electricity in the State because of exceptional circumstances which have arisen in the market for that supply and further because of the situation in Ukraine; for disapplication of the Planning and Development Act 2000 for the purpose of such development; for such development to be exempt from the provisions of Directive No. 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the

effects of certain public and private projects on the environment amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014, in accordance with Article 2(4) of that Directive; for application of arrangements for the alternative assessment of such development for the purposes of that Directive and the appropriate assessment of such development for the purposes of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, and for the co-ordination of such assessments; and to provide for related matters.

Climate Action Plan, 2021

- 7.2.2. This plan seeks to tackle climate breakdown and it commits Ireland to a legally binding target of net-zero greenhouse gas emissions by 2050, emissions reduction of 51% and to meet up to 80% of electricity demand from renewables by 2030.

National Development Plan, 2021-2030

- 7.2.3. This Plan underpins the National Planning Framework. It contains several priorities related to transitioning to a low-carbon and climate resilient society (NSO8) including investment in renewable energy infrastructure.

National Planning Framework, 2018-2040

- 7.2.4. This Plan sets out a high-level strategic plan for shaping future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level. It contains several National Strategic Outcomes (NSOs) and National Policy Objectives (NPOs) related to transitioning to a low-carbon and climate resilient society (NSO8), promoting renewable energy use (NPO55), and improving air quality (NPO64).

White Paper: Ireland's Transition to a Low Carbon Energy Future, 2015-2030

- 7.2.5. This document sets out a framework to guide policy and the actions intended to take in the energy sector up to 2030. It takes into account European and International climate change objectives and agreements, as well as Irish priorities.

Climate Action and Low Carbon Development Amendment Act 2021 amending Climate Action and Low Carbon Development Act 2015;

- 7.2.6. This document establishes a framework to develop the national transition towards a low carbon economy. One of the most significant parts of the act is the proposed

introduction of carbon budgets, which will become just as important as the annual fiscal budget and will represent the total amount of greenhouse gases (GHG) that may be emitted in the State during the budget period, measured in tonnes of carbon-dioxide equivalent.

7.3. **Regional Policy**

Regional Spatial & Economic Strategy for the Eastern & Midlands 2019-31

- 7.3.1. The RSES supports the delivery of the programme for change set out in the National Planning Framework and the National Development Plan and it sets out a strategic vision and policy objectives for the Dublin Metropolitan Area (DMA). It seeks to promote quality infrastructure provision and capacity improvement in tandem with new development aligned with national projects and improvements in water and wastewater, sustainable energy, waste management and resource efficiency. It seeks to reduce emissions and support the transition to a low carbon region by 2050.

Metropolitan Area Strategic Plan (MASP)

- 7.3.2. This provides a strategic plan and investment framework for Dublin metropolitan area which aligns with the outcomes of the RSES including its energy aims

7.4. **Local Policy – Development Plan**

Fingal County Development Plan 2017-2023

- 7.4.1. This is the operative County Development Plan for the area. Section 7.3 of the plan outlines the Council's approach to Energy and Climate Change. The following objective is of relevance:

Objective EN22 - *Facilitate energy infrastructure provision at suitable locations, so as to provide for the further physical and economic development of Fingal.*

- 7.4.2. The site is zoned 'Heavy Industry HI' under the operative plan with a stated purpose to facilitate opportunities for industrial uses, activities and processes that may cause or result in adverse conditions to appropriate locations. Within the Development Plan, there are 293 ha of lands zoned for HI purposes, primarily located in the vicinity of the Huntstown Quarry in northeast Blanchardstown. The vision expressed for this zoning is to '*Facilitate opportunities for industrial uses, activities and processes which may give rise to land use conflict if located within other zonings. Such uses, activities and processes would be likely to produce adverse impacts, for*

example by way of noise, dust or visual impacts. HI areas provide suitable and accessible locations specifically for heavy industry and shall be reserved solely for such uses’.

7.4.3. Gensys Power Ltd., T/A Huntstown Power Station, Huntstown Quarry, Finglas, D11 is listed under Table 12.13 of the plan as a Seveso site which has a stated consultation distance of 300m. The following objectives relate:

Objective DMS180 – ‘Have regard to the provision of the ‘Major Accident Directive’ (Seveso III) (European Council Directive 2012/18/EU) and impose restrictions in consultation with the HSA, on developments abutting or within proximity of a Seveso site. The extent of restrictions on development will be dependent on the type of risk present and the quantity and form of the dangerous substance present or likely to be present’.

Objective DMS183 – ‘In areas where Seveso sites exist in appropriate locations with low population densities, ensure that proposed uses in adjacent sites do not compromise the potential for expansion of the existing Seveso use and in particular the exclusion of developments with the potential to attract large numbers of the public’.

Objective DMS185 – ‘Have regard to the advice of the Health and Safety Authority when proposals for new Seveso sites are considered and for all planning applications within the consultation distances stated in Table 12.13’.

7.5. **Other plans and policy documents**

- Shaping out Electricity Future (EirGrid, 2021)
- Policy Statement on Security of Electricity Supply (DECC, 2021)
- Delivering a Secure, Sustainable Electricity System (EirGrid, DS3).
- ESB’s Brighter Future Strategy.

7.6. **Natural Heritage Designations**

7.6.1. The site is not located within or adjacent to any sites with a natural heritage designation. There are eight European Sites within 15km of the site, as follows:

- Malahide Estuary SAC [000205] – 9.8km to the northeast
- North Dublin Bay SAC [000206] – 11km to the east

- South Dublin Bay SAC [000210] – 11.2km to the southeast
- Baldoyle Bay SAC [000199] – 12km to the east
- South Dublin Bay and River Tolka Estuary SPA [004024] – 8.6km to the southeast
- Malahide Estuary SPA [004025] – 9.8km to the northeast
- North Bull Island SPA [004006] – 11.3km to the southeast
- Baldoyle Bay SPA [004016] – 12.1km to the east

7.6.2. The closest surface water body to the Proposed Development is the River Ward located approximately 500m to the north of the subject site. The existing drainage system currently discharges into the River Ward, a tenuous hydrological connectivity is therefore present via the Ward River, through the coastal waters of Malahide Estuary and Baldoyle Bay. This issue is examined further in Sections 10.4.8 to 10.4.11 of this report and also under the associated Screening for AA (carried out under separate assessment).

7.6.3. No National Parks occurs within the vicinity or have connectivity to the proposed development. North Bull Island and Baldoyle Estuary are designated as a Nature Reserve and are located approximately 13.3km and 13.5km from Huntstown respectively. Dublin Bay is designated as a UNESCO Biosphere reserve.

7.6.4. No Ramsar sites were identified within the footprint of the proposed development. The closest recorded sites are: Broadmeadow Estuary located 9.7km to the northeast; North Bull Island located 11.3km to the southeast; and Baldoyle Bay located 11.8km to the east.

7.6.5. No sites of national designation occur within or in proximity to the proposed development site. The closest Natural Heritage Area (NHA) to the site is Skerries Islands NHA (001218) which is located approximately 23km to the north of Huntstown. No source-pathway-links were identified between the NHA and the proposed development. No pNHAs were recorded within the footprint of the works. Several pNHAs were recorded in the wider landscape. A number of these are coincide with one or more European designated sites as outlined. The closest pNHA is the Royal Canal (002103) which is located c. 3.8km south of the proposed site.

8.0 Legislation and Guidelines

8.1. EIA Directive (2014/52/EU)

8.1.1. In determining the requirement for EIA, the Directive differentiates between projects that always require EIA and those for which an EIA may be required. These projects are listed in Schedule 5 Part 1 and Part 2 of the Planning and Development Regulations 2001, as amended (hereafter the P&D Regulations).

- Part 1 projects are those which are considered as having significant effects on the environment and require a mandatory EIA; and
- Part 2 projects are those not included in Part 1 but that may require EIA where the proposed development is of a class specified in Part 2 and equals or exceeds the relevant thresholds; or, where the proposed development would be of a class specified in Part 2, but does not equal or exceed prescribed threshold in Part 2 yet it is concluded, determined or decided, that the proposed development is likely to have a significant effect on the environment.

8.2. Planning and Development Regulations 2001, as amended

Part 1 of Schedule 5 of the P&D Regulations

8.2.1. Within Part 1 of Schedule 5 the following classes of development may be considered relevant to the proposed temporary emergency generation plant. A short assessment of relevance is presented under each class:

8.2.2. **Class 2(a):** *“A thermal power station or other combustion installation with a heat output of 300 megawatts or more.”*

The proposed development is characterised as a type of ‘other combustion installation’ as it utilises reciprocating gas engines which do not utilise steam to power the engines. The thermal output (which is an ancillary output which has no use or function) via the exhaust stacks, from the proposed development, totals 80 MWth, and is therefore below the 300 MW threshold in Paragraph 2(a). The proposed development is thus below the prescribed threshold and mandatory EIA is therefore not required.

8.2.3. **Class 22:** *“Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.”*

The proposed development is located on existing brownfield hardstanding area within the existing Huntstown Power Plant complex (comprising Huntstown 1 and Huntstown 2 power generation plants – both considered a class of development which falls under Class 2(a) above). However, the Board should note the following as outlined by the applicant:

- The proposed temporary emergency generation plant is a stand-alone, temporary electricity transmission generation plant/ installation. Any power generated, is not being 'fed into' or conducted/ transmitted via the existing H1 or H2 power station/ plant or their associated substation – i.e. Huntstown substation (which has its own AIS).
- The power generated will go to a proposed new AIS (which is not connected to any aspect of the existing H1 and H2 power station/ plant) and then, via new (separately and independently permitted undergrounded infrastructure (comprising part of the existing Corduff – Platin 110kV line (to Finglas substation)), connecting to Finglas substation).
- The proposed temporary emergency generation facility can be independently operated and switched on/ off and has its own, separate control room.

Therefore, notwithstanding the proposed development's location within the existing Huntstown Power Plant complex, the proposed development is a stand-alone project and is entirely independent of the operations and functions of either Huntstown 1 and/or 2. Whilst there are shared utility connections (such as GNI AGI, storm water outfall), there is nonetheless, no functional interdependency.

As a stand-alone project, the proposed development cannot be considered to be a change or extension of any existing or consented development class under Part 1. Class 22 is therefore not applicable to the proposed development.

Part 2 of Schedule 5 of the P&D Regulations

- 8.2.4. Within Part 2, five types of development classes are identified which may be applicable to the proposed development, again a short assessment of the relevance of each class is provided under each:

8.2.5. **Class 3(a) [Energy Industry]** *“Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more.”*

The hot air flow which exits each generator stack has no purpose, use or function and is the only associated ‘thermal output’ from the proposed development. This hot air (‘thermal output’) totals 80 MWth, which is below the 300 MW threshold in Class 3(a) – Energy Industry of Part 2 of Schedule 5.

8.2.6. **Class 10(b)(iv) [Infrastructure Projects]** *“Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.”*

Whilst the proposed development is considered to be a type of ‘urban development’ under Class 10(b)(iv), the proposal is not located in a ‘business district’ and whilst it is considered to be located within a ‘built-up area’ as per the definition in Article 32 of the P&D Regulations, it does not meet the 10 hectare threshold for a built-up area, as the overall development site covers an area of approximately 4.2 hectares.

8.2.7. **Class 13 (a) - Changes, extensions, development and testing** *“Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-*

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.....

13(c) Any change or extension of development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, which would result in the demolition of structures, the demolition of which had not previously been authorised, and where such demolition would be likely to have significant effects on the environment, having regard to the criteria set out under Schedule 7.”

As previously outlined within Section 8.2.3 (in relation to Part 1, Class 22), the proposed development is a stand-alone project with no functional links or interdependencies with the authorised developments of Huntstown 1 or 2; therefore,

no change or extension of these existing already permitted and implemented developments results arising from the proposed the temporary emergency generation plant. Therefore, the proposed development would also not be considered under Class 13 - Changes, extensions, development and testing of Part 2 of Schedule 5.

- 8.2.8. **Class 14 - Works of Demolition** *“Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”*

The proposed development can be considered to require enabling works which includes ‘demolition’ works, by virtue of the fact that it requires the dismantling of the existing storage building, however this dismantling will not result in significant effects on the environment based on the scale, nature and duration of the dismantling works required.

- 8.2.9. Assessment Outcome for above classes

The proposed development is identified as a type of development under Class 3(a) and 10(b)(iv) but does not meet the respective thresholds. It is therefore considered to be a ‘sub-threshold development’.

Class 13 is not applicable to the proposed development as previously outlined above (in relation to Part 1, Class 22), the proposed development is a stand-alone project with no functional links or interdependencies with the authorised developments of Huntstown 1 or 2; therefore, no change or extension of these existing already permitted and implemented developments results arising from the proposed the temporary emergency generation plant.

No significant effects are expected from the proposed development as a result of any works of demolition as outlined under Class 14 (minor in nature which will not result in significant effects on the environment based on the scale, nature and duration of the dismantling works required).

- 8.2.10. **Class 15:** *“Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”*

8.2.11. Assessment Outcome for Class 15

As stated above the proposed development is identified as a type of development under Class 3(a) and 10(b)(iv) but does not meet the respective thresholds. It is therefore considered to be a 'sub-threshold development'. The potential for significant effects on the environment in relation to Class 15 therefore needs to be considered. To confirm the potential for significant effects on the environment in relation to Class 15, an assessment of the proposed development against the criteria in Schedule 7 and 7A has been carried out. The details of this assessment and the sub-threshold EIA Screening can be found under Section 10 of this report.

8.2.12. **Schedule 7** sets out the criteria for determining whether a development would, or would not be likely to have significant effects on the environment, under three headings:

1. Characteristics of the proposed development.
2. Location of the proposed development.
3. Types and characteristics of potential impacts.

8.2.13. **Schedule 7A** relates to information to be provided by the applicant or developer for the screening of sub-threshold development for the purposes of EIA (as identified under Section 176B of the P&D Act 2000 as amended - see Section 8.3.3 below).

8.3. **Planning and Development Act 2000, as amended**

8.3.1. **Section 181 - Development by State Authorities**

Subsection 181 (2T) (a) states that: "*A prospective applicant who is considering whether to apply for approval for proposed development under subsection (2A) may apply to the Board—*

(i) for a determination under sections 176A and 176B or section 177U, as to whether a proposed development would be likely to have a significant effect on the environment or an adverse effect on the integrity of a European site, as the case may be (and inform the prospective applicant of the determination), or

(ii) for an opinion in writing prepared by the Board on what information will be required to be contained in an environmental impact assessment report or Natura impact statement or both that report and that statement as the case may be, in relation to the proposed development".

- 8.3.2. **Section 181 (2T) (b)** then goes on to state that: “Sections 176A and 176B shall apply to a determination of the Board referred to in paragraph (a)(i)”
- 8.3.3. **Section 176A (1)** under **Application for screening for environmental impact assessment** states “In this section and sections 176B and 176C—“screening determination for environmental impact assessment” means a determination made as part of a screening for environmental impact assessment;
“screening for environmental impact assessment” means a determination—
(a) as to whether a proposed development would be likely to have significant effects on the environment, and
(b) if the development would be likely to have such effects, that an environmental impact assessment is required”.
- 8.3.4. **Section 181 (2U)** states that “On receipt of such an application under subsection (2T)(a), the Board shall make its determination or give its opinion, as the case may be, as expeditiously as possible”.
- 8.3.5. **Section 181 (2V)** states that “A prospective applicant shall, for the purposes of—
(a) consultations under subsection (2R), and
(b) the making of a determination or the giving of an opinion by the Board on an application under subsection (2T)(a),
supply to the Board sufficient information in relation to the proposed development so as to enable the Board to assess the proposed development”.

8.4. **Other Guidance**

- 8.4.1. In addition to the various requirements of planning legislation, the following guidance was also considered relevant to the current assessment:
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, EPA, May 2022.
 - Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, Department of Housing, Planning and Local Government, August 2018.

- Guidance on EIA Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017.
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 revision).
- EIA, Guidance for Consent Authorities regarding Sub-Threshold Development, Department of the Environment, Heritage and Local Government, 2003.

9.0 **Consultee Responses**

9.1. Having regard to Section 176A.(4) (a) and (b), and Section 176A. (5) of the Planning and Development Act 2000, as amended, and for the purposes of enabling the Board to carry out screening for an environmental impact assessment in respect of the proposed development, the Board was of the opinion that it was appropriate to request submissions/observations on the proposed development from both the Environmental Protection Agency and the relevant landowners.

9.2. **Relevant Landowners**

9.2.1. Submissions from two landowners, Huntstown Power Company Ltd and Roadstone Dublin Ltd have been received in relation to the proposed development. No concerns or observations were noted in either submission.

9.3. **Environmental Protection Agency (EPA)**

9.3.1. A submission was also received from the EPA who stated that with regard to the matters that come within the functions of the Agency, and considering the activity in its entirety, the Agency notes that the activity may be a project type specified in Annex I of the EIA Directive: i.e. *2(a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more.*

9.3.2. The EPA states that where the activity does not exceed an EIA threshold and where the Agency receives a licence application it must make a determination as to whether the activity to which the licence or revised licence applied for relates should be subject to environmental impact assessment on the basis of such information, taking into account the relevant selection criteria specified in Annex III to the EIA

Directive and, where relevant, the results of preliminary verifications or assessments of the effects on the environment carried out pursuant to any Act or under European Union legislation (other than the EIA Directive). I note that the current application does not relate to a licence application and therefore this does not concern the current assessment and where required should be dealt with under separate process. In relation to this the EPA do state that should An Bord Pleanála determine that an EIA is required for the proposed development and should a licence application or review application be received which addresses the changes proposed, the Agency will require that the associated EIAR be submitted in support of the licence application. This EIAR would subsequently be considered by the EPA. The submission received then states that the EPA shall ensure that before a licence or revised licence is granted, the licence application will be made subject to an EIA as respects the matters that come within the functions of the Agency and in accordance with Section 83(2A) and Section 87(1G)(a) of the EPA Act and in addition that the appropriate consultation on this process shall be carried out.

10.0 Assessment

10.1. Introduction

10.1.1. The proposed development is set out in Section 4.0 above and broadly comprises a temporary emergency generating plant adjacent to the existing Huntstown Power Station. The temporary generating plant will include 38 no. 1.43MWe nominal capacity gas generator sets based on the reciprocating internal combustion technology (Janbacher J420 units) to provide a nominal electrical output of 50MW. The units are to be containerised and will be delivered to site, predominantly pre-assembled, ensuring speedy implementation and installation of the proposed development. It is intended that the development will operate on natural gas from an existing GNI AGI, located to the north-west of the proposed temporary emergency power generation facility. Power generated by the temporary emergency generating facility will be exported to the national grid via an underground cable connection to the existing Finglas 220kV substation (consented under Planning reference: FW21A/0144), located c.800m to the south-east of the site.

- 10.1.2. The proposed development is a stand-alone, temporary electricity transmission generation plant/ installation. It will not function as, nor is proposed as, an extension to any existing power plant facility and there is no functional dependency between Huntstown 1 and 2 and the proposed temporary emergency generation facility.
- 10.1.3. The proposed development has been assessed in the context of mandatory thresholds for EIA as set out in Schedule 5 (Parts 1 and 2) of the Planning and Development Regulations 2001 (as amended), with further assessments completed including Screening for Appropriate Assessment (in accordance with the Habitats Directive (92/43/EEC) and COMAH Assessment (in accordance with The Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015, S.I. No. 209 of 2015), considering the criteria for sub-threshold EIA, as set out in Schedule 7 and 7A of same regulations. The submitted EIA Screening Report concludes that impacts associated with the construction, operation and decommissioning of the proposed temporary emergency generation plant, are not considered to give rise to significant effects in the context of the life cycle of the proposed development. The submitted EIA Screening Report concludes that proposed development does not require mandatory EIA, and as a sub-threshold project, the effects are not considered significant to warrant the preparation of sub-threshold EIA for the proposed temporary emergency generation plant. The applicant states that it was therefore concluded that an EIA is not required for the proposed development
- 10.1.4. The following matters are considered relevant in the assessment of whether the submission of an EIAR is required:
- Assessment of project type/class of development under Schedule 5 of the Planning and Development Regulations, 2001, as amended, relevant to the proposed development.
 - Assessment of relevant thresholds under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended.
 - Assessment of proposed development under the criteria set out Schedule 7 of the Planning and Development Regulations, 2001, as amended.
- 10.1.5. The matters within the first two bullet points above have been considered already under Section 8.0 above. To confirm the potential for significant effects on the

environment in relation to Class 15, an assessment of the proposed development against the criteria in Schedule 7 and 7A of the Planning and Development Act 2000, as amended is set out below.

10.2. **Assessment of the development under the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended**

10.2.1. As noted above Schedule 7 of the Regulations lists the criteria for determining whether a development would or would not be likely to have significant effects on the environment under the following headings:

- Characteristics of proposed development.
- Location of proposed development.
- Types and characteristics of potential impacts.

10.2.2. I have therefore considered these in my examination and assessment below, having regard to the information submitted pursuant to Schedule 7A and the legalisation and guidance.

10.3. **Characteristics of proposed development**

Size and design of proposed development

10.3.1. The proposed development, which is described in detail in Section 4 above, comprises works on lands within a stated area of 4.2ha and is predominately located within the existing Huntstown Power Plant complex (which operates two combined cycled gas turbine generating plants (Industrial Emissions Licence references: P0777-02 and P0483-04) with the proposed development to be licenced under the latter). The proposed development has been designed with a temporary and limited lifespan of five years at this location (period Summer 2023 to late 2027). The proposed development will run only when required, typically equating to four hours per day; 1460 hours per year.

10.3.2. With regard to design the proposed development, although a common type of development within Ireland; is fundamentally different in its design, which is predominately modular in nature, to accommodate the urgent and critical need to secure electricity supply. The modularised design of the proposed development will facilitate the civil works and plant construction, installation and commissioning of the

generation units within a four-month period upon the completion of the enabling works. Limited groundworks will be required, as foundations will be required for the following elements only: generator exhaust stacks (total of 12No.), 110kV transformer and blast walls, 110 kV AIS substation equipment, series reactor, a new storage building, acoustic barrier, and lightening conductor masts and palisade fencing. As stated previously the proposed development is also able to utilise the existing stormwater and water network within the Huntstown Power Plant complex and foul water is to be discharged to the existing septic tank also on the complex site.

10.3.3. The proposed design has included embedded mitigation in relation to the generator sets comprising an attenuation unit and an exhaust silencer on each generator set. Noise attenuation barriers will be provided along the northern and eastern boundaries of the site to ensure no exceedances at closest residential receptors of daytime and night-time noise limits for Industrial Emissions Licenced sites as prescribed in the EPA, Guidance Note for Noise, (2016) (NG4)¹.

10.3.4. The nature and size/scale of the proposed development is significantly below the thresholds set out in Part 2 of Schedule 5 of the Regulations and when considered in relation to the existing and surrounding heavy industry land uses which have been operational for the last 20 years (minimum) within the townlands of Huntstown and Johnstown, I do not consider that a requirement for EIA arises.

Potential for cumulative impacts with other existing and/or approved projects

10.3.5. The proposed development is located within the Huntstown Power Plant complex which includes two existing combined cycled gas turbine (CCGT) generating plants (Huntstown 1 and 2) and the adjoining Huntstown 220kV substation and Gas AGI. The development site is then bounded by established industrial uses/developments on all sides and the land directly surrounding it is zoned for 'Heavy Industrial' under the operative Fingal CDP (2017-2023). Adjacent to the entrance of the Huntstown Power Plant, and directly opposite the entrance to the proposed development, is the BioEnergy AD Renewable plant and associated wastewater treatment plant, to the

¹ EPA & OEE 'Guidance Note for Noise: Licence Applications, Surveys and Assessments in relation to Scheduled Activities' (NG4), 2016

west is Huntstown Quarry, and the Finglas 220 kV Substation is located to the south (adjacent to Junction 5 of the M50).

- 10.3.6. The next closest uses are for 'General Employment' lands as per the CDP zoning map. There are no residentially zoned lands within the vicinity and the nearest zoned 'Greenbelt' lands are located over 0.5km to the north. Table 5.1 of Chapter 5 of the submitted EIA Screening Report outlines a complete list of approved and granted developments (within the last five years (on the basis of the 5-year validity lifespan of a planning application) which have the potential to result in cumulative effects with the proposed development, either due to their scale, size or industrial/ utility nature.. The EIA Screening Report states that the proposed development has the potential for cumulative impacts to occur when considered in combination with these existing and approved developments, for example, the electrical infrastructure project proposed under FW21A/0144 is likely to commence simultaneously with the construction of the proposed project.
- 10.3.7. The developments listed are predominately of an industrial, utility infrastructure or commercial nature. The list also includes any known planned developments which have been lodged with the relevant planning authority (i.e. Mooretown 220kV substation (VA06F.311528) and a data centre development (FW21A/0151) which are respectively overlapping and directly adjoining the application boundary). In addition, any developments which are 'operational' licenced activities by the Environmental Protection Agency (Industrial Emissions, IPC, Waste, Water Discharge licensed activities), and EPA licence applications, are also listed.
- 10.3.8. With regard to listed approved and proposed projects nearby (within 1km of the proposed development) the following projects were identified as possibly resulting in simultaneous construction phases with the proposed development:
- Data Centre application (FW21A/0151 / PL06F.313583, 3rd Party appeal, decision date due for 19/09/2022)
 - Mooretown 220kV substation application (Strategic Infrastructure Development application VA06F.311528)
 - Electrical infrastructure between Huntstown Power Station and Finglas 220 kV Substation (FW21A/0144)

- Greater Dublin Drainage (ABP SID Application GDD: PA0055 & PA06F.312131)
- Renewable Bioenergy Plant Wastewater Treatment Plant (IE Licence No. P0933-02)

10.3.9. However, given the short construction phase associated with the proposed development (approximately 10 months), any overlap between these construction phases is expected to be temporary. The developments listed above are/will be subject to planning conditions which include appropriate mitigation measures to minimise potential impacts e.g. on traffic, surface water including flood risk.

10.3.10. With regard to other possible cumulative impacts the methodology employed for each environmental thematic (covered in Chapter 2 to 11 of Supporting Information to the EIA Screening – Appendix A) differs based upon the relevance of the emissions from other planned or approved developments, therefore each thematic includes different planned or approved development within the respective cumulative assessments. For each technical topic, the nature and scale of other developments has been evaluated and the potential for spatial and temporal overlap within the topic-specific zone of influence (Zol) has been assessed, having regard to the potential for significant cumulative effects. Where there is potential for the proposed subject temporary emergency generation works to be carried out in parallel with these other developments, appropriate mitigation measures is to be implemented, including the scheduling of works and regular liaison meetings between project teams, to ensure that plans are coordinated and impacts are minimised.

10.3.11. The cumulative impacts of the proposed development when considered with other relevant plans or projects are not considered to be significant in relation to any of the environmental topics listed during any phase of the proposed development. For example, the assessment of cumulative noise impacts accounting for the proposed development site and other nearby development projects, shows an increase of less than 0.5 dB to the existing ambient noise level LAeq T for all time periods. The cumulative noise impacts are not therefore considered to be significant (refer to section 5.4.6 of EIA Screening report). Similarly in relation to potential impacts on air during construction phase, these are expected to be neutral and

negligible and the cumulative effects at operational phase not significantly greater than the proposed development in isolation which meets the maximum allowable process contribution (MAPC) criteria set out in EPA AG4 and there is no predicted exceedances of the 1-hour AQS. On this basis cumulative effects are not likely.

- 10.3.12. When the impacts on habitats and fauna are assessed cumulatively with other developments, which may be under construction simultaneously, in particular projects outlined above as being in proximity to the proposed development, there is no potential for significant impacts. The proposed development has also been screened for AA and regarding European designated sites such as SACs and SPAs this separate assessment concluded that there is no potential for significant effects on any European sites from the proposed development, either alone or in-combination with other plans and/or projects, in view of the best scientific information and the sites conservation objectives. As part of the AA assessment the applicant states that no measures were required to avoid or reduce harmful effects on European sites. The Board should refer to the separate determination under ABP Ref. 314778-22 for more detail on this process and assessment.

Potential for cumulative impacts in combination with the existing Huntstown Power Plant:

- 10.3.13. I note the submission received from the EPA on the proposed development and reference to consideration of the 'activity in its entirety'. Having examined the details of the submitted proposal and taking into account the thresholds presented within Schedule 5, Part 1 and Part 2 of the Planning and Development Regulations 2001, as amended, and outlined under Section 8 of this report, as well as the assessment of impacts contained within Section 10 of this report (above and below), I am satisfied that there is no potential for cumulative impacts from the proposed temporary emergency generation plant in combination with the existing Huntstown Power Station during construction, operation or decommissioning phases.
- 10.3.14. The Board should note that notwithstanding the proposed development's location within the existing Huntstown Power Plant complex, the proposed development is a stand-alone project and is entirely independent of the operations and functions of either Huntstown 1 and/or 2 and that the temporary emergency generation plant will be constructed as a stand-alone generation station and the

construction will not interfere with the operations of the existing units at Huntstown Power Station. Whilst there are shared utility connections (such as GNI AGI, storm water outfall), there is nonetheless, no functional interdependency. Integration with Gas Network Ireland's AGI is planned to coincide with planned outages on the existing units and any potential disruptions to the existing power station as a result of the construction of the proposed development will be managed through the CEMP (Appendix B).

10.3.15. During operational phase the development will operate on natural gas from an existing Gas Networks Ireland AGI, located to the north-west of the proposed temporary emergency power generation facility. The requisite 50 MW emergency electricity generation can be achieved through the utilisation of available headroom capacity above the registered capacity from the 28barg and 42barg systems of the existing AGI. Power generated by the temporary emergency generating facility will be exported to the national grid via an underground cable connection to the existing Finglas 220kV substation (consented under Planning reference: FW21A/0144), located c.800m to the south-east of the proposed development.

10.3.16. During operational phase water will be supplied to proposed development via the existing Irish Water connections to the Huntstown Power Station and the applicant has confirmed that there is sufficient existing water supply on site to meet the demand, without impacting on the supply to the existing power station or other proposed developments in the area e.g. planned data centre development (FW21A/0151 / PL06F.313583) and the Mooretown 220kV substation (VA06F.311528) (confirmed by Irish Water within the EIAR Addendum Report for these projects).

Possibility of cumulative impacts from any alterations or extensions to existing developments within the vicinity:

10.3.17. When considering the possibility of any alterations or extensions to existing commercial business parks in the area such as Vantage Business Park Phase 2 (FW20A/0211 and FW22A/0068), and Plots at Dublin Inland Port [Site A] (FW20A/0021) which has a ten-year permission to allow the orderly relocation of existing operators at Dublin Port, these are not expected to result in any significant cumulative effects. The nature of the above business uses within their business park

context is such that no real air or noise emissions are likely to arise, and the types of effects arising from such uses/ development, is limited and conditioned to ensure the fulfilment of their respective mitigation.

Conclusion:

10.3.18. Having regard to the available information including the nature and scale of the proposed development and the existing site context and the available infrastructure, it is considered unlikely that any impacts which could arise in cumulation with other development in this area would be of a magnitude that would generate the need for EIA.

Nature of any demolition works, use of natural resources, production of waste, pollution and nuisances

10.3.19. An existing store building (area of approx. 780m²) is the only structure which will be required to be dismantled/demolished, with the removal of foundations to a depth of approximately 300mm. Shipping containers used for storage purposes will also be removed from site and a section of the fence along the northern boundary of the Huntstown Power Station site is also to be removed.

10.3.20. There will be limited use of natural resources by the proposed development. All equipment relating to the operation of the proposed temporary emergency power plant will be located within the licenced boundary for Huntstown Power Plant complex, under existing IED Licence P0483-04, as such, there is no significant use of land as a natural resource. The development requires the removal of topsoil in the northeast of the site over an area of approximately 5,000m² with minor excavation works required to relocate underground services and provide stormwater attenuation and foul water drainage. There is however no requirement for soil importation and the soil removal volumes are not considered significant. A replacement parking (tarmac – 3,827m²) and laydown area (hardcore – 5,646m²) are to be located outside of the operational areas of the existing Huntstown power plant complex and within an area of amenity grassland. This area will be reinstated to amenity grassland once the proposed temporary plant is decommissioned.

10.3.21. During the construction phase the impact to water as a natural resource is limited. The proposed works are anticipated to be limited to shallow depths (<2.0m) and earthworks are proposed to take place above the water table (approx. 4.0mbgl).

Measures outlined in the CEMP (Appendix B of EIA Screening) will be implemented during the construction phase at all times to protect water resources (surface water and groundwater). The existing drainage network includes existing oil interceptors which will prevent hydrocarbon emissions to the closest waterbody, the Ward River, and the wider environment. The submitted EIA Screening Report states that the operation of the plant will be an activity regulated by a revised Industrial Emissions Licence (P0483-04) and will ensure compliance with the licenced air, water and noise emissions limit values when operational. The proposed development will operate on an existing natural gas supply. Huntstown Power Company Limited (HPCL) have confirmed that there is the requisite volume of natural gas supply capacity to operate the proposed temporary energy generation plant, therefore the use of this natural resource is not considered significant due to the limited volumes required.

10.3.22. Waste arising from demolition/dismantling will be managed in accordance with the Construction Resource and Waste Management Plan contained within the CEMP (Appendix B of submitted EIA Screening Report). This is not anticipated to be of any significant level and no significant waste streams will be generated. Any excavated materials and demolition/dismantling waste will be managed in accordance with the Construction Resource and Waste Management Plan.

10.3.23. The potential for pollution and nuisance arising from a development of this scale would be limited. While I acknowledge that the construction phase will result in noise, dust and traffic related impacts with the potential to cause nuisance, these impacts will be temporary and short lived (estimated 10-month construction period) and will be controlled as part of the standard construction management plan. In addition, given the proposed sites location surrounded by other industrial uses, the potential for significant impacts on these surrounding land uses is not considered significant. The EIA Screening report states that the operation of the proposed temporary emergency development will be an activity regulated by a revised Industrial Emissions Licence (P0483-04) and will therefore ensure that compliance with the licenced air, stormwater and noise emissions limit values when operational. The design of the proposed development has incorporated embedded mitigation to reduce any noise impacts on sensitive noise receptors. These comprise an attenuation unit with an exhaust silencer fitted to each generator set. The

construction phase is predicted to have a 'Negligible Risk' to 'Low Risk' in terms of dust soiling and PM10 effects with no mitigation in place.

10.3.24. I consider that the scale and nature of the demolition/dismantling works has limited potential for significant effects and therefore that the production of waste or the generation of pollution and nuisance would not warrant EIA.

Risk of major accidents and/or disasters including those caused by climate change

10.3.25. A COMAH Land Use Planning Assessment was carried out for the current proposal (See Appendix D of EIA Screening Report) which assessed the following major accident scenarios:

1. Vapour Cloud Explosion (VCE) within a generator container.
2. Jet fire following a leak or rupture of the natural gas pipeline at the proposed development.
3. Flash fire following a leak or rupture of the natural gas pipeline at the proposed development.

The assessment concluded that the level of individual risk and off-site risk associated with the proposed development, in combination with the existing Huntstown Power Station, are acceptable.

10.3.26. Having regard to the location, nature, scale and characteristics of the proposed development, the risk of major accidents and/or disasters is not considered significant as the proposed development has been designed in accordance with Best Available Techniques (BAT) to reduce risks to human health or the environment. These techniques (BAT) are defined as the techniques that are most effective, or 'best', at eliminating or, where not practical, minimising / controlling industrial emissions and environmental impacts.

Risk to human health

10.3.27. There are no significant risks to human health associated with the proposed development. The risk to human health arising from water contamination, air pollution, noise etc is considered to be negligible and not of a magnitude to generate a requirement for EIA. The EIA Screening report states that the operation of the proposed temporary emergency development will be an activity regulated by a

revised Industrial Emissions Licence (P0483-04) and as previously mentioned is required to ensure that it will operate under all relevant EU BAT. As such, there are no emissions from the proposed development which are considered significant.

10.4. Location of proposed development

Existing and Approved Land Use

10.4.1. As noted above, the proposed development is located within an area zoned for 'Heavy Industry' (HI) within the Fingal Development Plan 2017-2023 (as varied) and does not entail a change of land use. The proposed development is compatible and will complement the existing use of the land for heavy industrial purposes. The precedent for this land use is well established, given the existence of Huntstown Power Plant since circa 2000. The EIA Screening report states that the operation of the proposed temporary emergency development will be an activity regulated by a revised Industrial Emissions Licence (P0483-04). I am satisfied that no significant adverse impacts in relation to land use are likely to arise.

Relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground

10.4.2. As stated previously, the majority of the site is developed for industrial uses associated with the existing Huntstown Power Plant, apart from a smaller area of amenity grassland (GA2) and shrub and tree (Alder) planting and semi improved dry calcareous and neutral grassland (GS1), located to the north of the existing hard standing.

10.4.3. The existing northern green area of dry calcareous and neutral grassland which is proposed to accommodate the extension of hard surfacing for carparking and clause 804 for storage, is a resource in that it is a partially undeveloped area within the built environment and may provide for potential habitat for flora and fauna. All vegetation on this element of the site will be removed to make way for the development, which will result in habitat loss, however this managed green space is of low ecological value in terms of habitat and as such I am satisfied that its removal will not give rise to significant effects on the environment. I am also satisfied that the removal of intermittent trees throughout the site will not cause any significant impacts on biodiversity. Trees within the footprint of the works were assessed as having 'Negligible' suitability to support bat roosts and where trees and wooded areas on

the periphery of the site were identified as providing potential foraging and commuting habitat these are not to be disturbed (trees are outside of site boundary and are not to be affected). No evidence of bat activity was identified during the internal or external inspection of the buildings which are proposed for demolition. No invasive species listed in the Third Schedule of S.I. No. 477 of 2011, European Communities (Bird and Natural Habitats) Regulations 2011, as amended, were identified within the site. The impact of the proposed development on natural resources has been fully assessed in Chapters 3, 4 and 5 of Appendix of the EIA Screening report. The assessments concluded that prior to mitigation, the proposed development does not result in any significant impacts on natural resources, namely, soil, land, water or biodiversity. Notwithstanding this the applicant has still proposed mitigation measures to safeguard natural resources from any impact on the relative abundance, availability, quality and regenerative capacity. These measures have been transposed into the CEMP (Refer to Appendix B of EIA Screening report). A full time Ecological Clerk of Works will also be employed who will ensure correct implementation of these measures.

- 10.4.4. Overall, the nature of the proposed development is such that the natural resources used in the proposed development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site. The immediate environment associated with the site is not considered as sensitive and has the capacity to absorb the proposed development without generating significant effects on the environment or the requirement for EIA.

Natural environment, paying particular attention to wetlands, riparian areas, river mouths

- 10.4.5. No significant impact as a result of the proposed development to wetlands, riparian areas, river mouths are expected. The proposed development is not located in proximity to any wetlands or river mouths. The closest watercourse to the proposed development is the Ward_030 (European Code: IE_EA_08W010300), located approximately 500m to the north of the proposed development. Due to the distance to this watercourse and lack of any works to this watercourse and its riparian corridor, there is no impact to this riparian area and its habitats. Notwithstanding the absence of these habitats in proximity to the proposed development, pollution control measures to mitigate surface water run-off, as listed in Section 4.5.1 and 4.5.2 of

Appendix A of the EIA Screening, are included in the CEMP (Appendix B). The design of the development will ensure that the operational phase does not result in pollution of riparian areas or rivers through the application of BAT, including bunding of hazardous substances and the use of oil interceptors, on the existing drainage systems. The EIA Screening report states that compliance with the licenced stormwater emissions limit values will be ensured and regulated by a revised Industrial Emissions Licence (P0483-04). These water emissions will continue to discharge as per the existing IE Licence to Roadstone Wood Limited Quarry Dewatering Network, which discharges to the Ballystrahan Stream, a tributary of the Ward River. The existing IE Licence under which the proposed development will operate, implements an Environmental Management System to manage the requirements of the IE Licence and details of preventative and corrective measures to ensure compliance with the IE Licence. These measures will be ensured at both construction and decommissioning and therefore no significant effects are expected which would warrant an EIA.

Natural environment, paying particular attention to coastal zones and the marine environment

10.4.6. The hydrological connectivity from the site to the nearest coastal zone/marine environment is described as tenuous, as it is limited to the existing drainage network which discharges to a tributary of the Ward River which then flows to the Malahide Estuary(Malahide River Estuary SAC 000205) which is located c. 9.8 km downstream. The combination of surface-water inputs for a distance of 9.8km before entering Malahide Estuary will provide sufficient dilution and assimilative capacity of any potential pollution events. For the reasons aforementioned, the proposed development will not result in any significant impact to coastal zones or the marine environment.

Natural environment, paying particular attention to mountain and forest areas

10.4.7. It is not considered that the proposed development has any potential to impact on these features having regard to its location and the nature of the proposed works.

Natural environment, paying particular attention to areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC

- 10.4.8. The site has been screened for appropriate assessment and this matter is considered in more detail under the AA Screening determination (ABP Ref. 314778-22). This report has assessed the potential for significant effects on the eight European Sites previously listed under Section 7.6 of this report. Viable source pathway receptor links were identified for Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025) only, due to potential hydrological links, as the Zone of Influence (Zoi) for surface water emissions is catchment wide and therefore impacts were considered further by the AA Screening. Potential for SCI species to occur outside of European site boundaries was also considered.
- 10.4.9. The proposal was also cumulatively assessed in relation to air quality, noise and vibration and it was concluded that there would be no significant impact to any qualifying interests (QI) occurring within or outside the European site boundary. The proposed development will not result in a significant impact on the coastal or marine environment due to the tenuous hydrological connectivity and separation distances to such environments (i.e. Ward River to the north of the site, to Malahide Estuary (Malahide River Estuary SAC 000205) approximately 9.8 km downstream). As stated previously the existing drainage network includes oil interceptors which will trap hydrocarbons that enter the drainage system. The drainage system will also allow for the settlement of cement fines and sediment in any discharge which may enter into the network due to surface water run-off. Also considering the distance from the proposed development to the SAC at 9.8km downstream even if sediment does enter the watercourse, it is considered that sufficient dilution and assimilative capacity is present along this watercourse to ensure that there are no resultant significant effects on the SAC.
- 10.4.10. The construction phase impacts, in the absence of mitigation, on habitats and fauna from the project alone were assessed within Chapter 5 of Appendix A of the EIA Screening report. Potential impacts from the proposed development, in the absence of mitigation, are assessed as not resulting in any significant impacts.

10.4.11. The AA Screening concluded there is no potential for significant effects on any European sites from the proposed development, either alone or in-combination with other plans and/or projects, in view of the best scientific information and the sites conservation objectives, and that no measures are required to avoid or reduce harmful effects on European sites.

Natural environment, paying particular attention to areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure

10.4.12. The Ward River has been assigned “Moderate” status in the latest monitoring cycle for the Water Framework Directive (2013-2018). The design of the drainage system for the proposed development includes embedded mitigation to ensure that the proposed development has no impact on the ability of the Ward River to achieve Good Status. As stated previously the construction phase of the proposed development will include pollution protection measures to mitigate risk of pollution to this watercourse and the full list of pollution control measures is provided in the CEMP (contained in Appendix B). Under the required Industrial Emissions licence for the proposed development, an Environmental Management Systems will be operated to protect surface waters from pollution.

Natural environment, paying particular attention to densely populated areas

10.4.13. The area within the vicinity of the proposed site is not considered to be a densely populated area as it represents a peripheral area on the outer extents of Dublin city. A small number of sporadic residential dwellings are located within the area with the closest being the Ravenswood Estate located approximately 400m northeast of the proposed development. The nearest housing estate, Northway estate is located c. 1.4km to the southeast of the site. Therefore, no significant impact on the absorption capacity of the natural environment in relation to densely populated areas is expected as a result of the proposed development.

Landscapes and sites of historical, cultural or archaeological significance

10.4.14. According to Chapter 10 of the associated Appendix A of the EIA Screening Report the magnitude of landscape impact within the immediate context is Low-negligible and of a Neutral quality. The proposed development is of a smaller scale

than that of the adjoining Huntstown Power Plant, therefore no significant impact on the immediate and surrounding landscape is expected. Visual impacts were assessed at 5 viewpoint locations and in terms of landscape character and sensitivity, this peri-urban landscape context is not considered to be highly sensitive or distinctive in any sense. This is further reinforced by the 'HI-Heavy Industry' zoning classification that contains the site and wider study area.

10.4.15. The impacts on archaeology, architectural and cultural heritage were assessed in Chapter 9 (of Appendix A). There are no Protected Structures or Architectural Conservation Areas within 1km of the proposed development. The closest archaeological monument is located approximately 0.4km to the northeast (Ring-ditch, DU014-015). The proposed development is located within the extent of the existing Huntstown Power Plant complex, which represents an area of previous ground disturbance. I am satisfied that there will be no impact to known archaeological features/ remains as a result of the proposed development.

10.4.16. In summary, the proposed development is located within an existing operational site which will not result in any significant impact during any phase of the proposed development. No potential significant impacts on landscape, archaeological, architectural and cultural heritage are expected as a result of the proposed temporary emergency power generation plant. I consider that the site has the capacity to absorb the proposed development without generating significant effects on the environment and the requirement for EIA.

10.5. **Types and Characteristics of the Potential Impact**

Magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)

10.5.1. The extent of the impact in terms of geographical area and the size of the population likely to be impacted is limited to the immediate area, as the footprint of the works are of restricted spatial extent (4.2 hectare) and occur within an existing power plant complex. The human population which will be affected by the proposed development is limited due to the separation distances between the proposed development and any nearby residential properties e.g. Northway estate c. 1.4km to the southeast and Ravenswood estate c. 400m northeast of the proposal site. No significant adverse impacts are expected on this population due to the embedded

mitigation measures within the design related to air quality (limited operational hours) and noise disturbance (generator attenuation and noise barriers). As the area surrounding the proposed development is of an industrial nature there is limited traffic generated by the local residential population, therefore the main traffic which will be affected by the development sites is existing industrial traffic and these impacts are not expected to be significant. As stated previously the ecological population likely to be affected is limited given the habitats of low biodiversity importance on site (amenity grassland, area of degraded dry calcareous and neutral grassland and hedgerows).

The nature of the impact

- 10.5.2. Given that the operation of the proposed temporary emergency development will be an activity regulated by a revised Industrial Emissions Licence (P0483-04) (as per EIA Screening report) compliance with the licenced stormwater emissions limit values when operational under Schedule B of the IE Licence will be ensured. The emissions and therefore the nature of their impacts on the environment are known and have been considered in the design and planning of the proposed development. The nature of the impact is detailed under each of the environmental topics outlined in Appendix A of the submitted EIA Screening Report. The assessments concluded that prior to mitigation, the proposed development does not result in any significant impacts on natural resources, namely, soil, land, water or biodiversity, however notwithstanding the limited impacts, mitigation measures will be provided to safeguard natural resources from any impact on the relative abundance, availability, quality and regenerative capacity and these measures have been transposed into the CEMP (Appendix B). The construction and decommissioning phase impacts are also considered common and not of a complex nature with standardised construction methods utilised during the anticipated ten-month construction programme.
- 10.5.3. There is potential for impacts on air and climate and noise and vibration to occur during the construction phase, however, having regard to the temporary nature of the works, these impacts would be short term and capable of effective mitigation through good construction practice.

Transboundary nature of impact

- 10.5.4. There will be no transboundary impacts associated with the proposed development.

Intensity and complexity of the impact

- 10.5.5. The proposed development will result in the loss of a small area of habitat and disruption to other habitats including treelines and grassland areas. Temporary noise, dust and traffic impacts may also arise during the construction and decommissioning phases. Operational phase impacts are not deemed to be intense or complex and as can be seen from the details contained in Appendix A of the EIA Screening report once embedded mitigation measures and additional mitigation measures are considered, no significant residual impacts were identified during the assessments, and the effects were characterised as either slight/neutral/imperceptible/negligible or no residual effects were stated to occur. Decommissioning/dismantling activities closely mirror those of construction phase activities, as such, the impacts during the construction and decommissioning phases are not considered to be no significant.
- 10.5.6. Having regard to the limited scale of the proposed development and noting the mitigation measures outlined in Appendix A of the EIA Screening it is considered that the nature of the environmental impacts during the construction, operational and decommissioning phases are not particularly complex or intense.

Probability of the impact

- 10.5.7. As stated previously the proposed project is a type of development which has been subject to previous assessments of impacts such that impacts can be predicted with confidence and effective mitigation can be readily implemented to ensure that significant adverse impacts are not likely. Best practice measures and methods will be implemented during construction and the CEMP will remain a 'live' document which will be reviewed regularly and revised as necessary to ensure that the measures implemented are effective. The proposed development has been designed in accordance with any relevant BAT to reduce the impact to the environment during the operational phase. Again, as the decommissioning phase impacts are similar in nature and scale to those which will occur during the construction phase, the probability of the impacts can be confidently predicted and mitigated where necessary.

Expected onset, duration, frequency and reversibility of the impact

10.5.8. The duration of the proposed works (including site preparation) will be approximately 10 months, commencing following receipt of the necessary statutory approvals. Normal working hours during the construction period are expected to be Monday to Friday 07:00 to 19:00, and Saturday 08:00 to 13:00. No works will be undertaken on Sundays or public holidays. Works outside these hours will require advance agreement of the local authority. The selection and implementation of established best practice procedures, as set within the CEMP will ensure potential environmental impacts during the construction phase are offset and as stated the CEMP will remain a 'live' document which will be reviewed regularly and revised as necessary to ensure that the measures implemented are effective.

10.5.9. The operational phase of the proposed development is of a limited duration which will not exceed five years, following which it will be decommissioned. The proposed temporary plant will be run only when required with the Transmission System Operator stipulating when additional generation is required to mitigate critical power shortage on the grid. A typical daily operational period is four hours. Under Condition 10 of the existing IE Licence, a decommissioning plan is required to be submitted to the EPA following the cessation of activities for more than six months within any part of the licenced site boundary. This will ensure that the site is rendered free of plant, structures, materials and soils that may result in environmental pollution.

Cumulation of the impact with the impact of other existing and/or approved projects

10.5.10. The potential for significant cumulative impacts to occur has been assessed for each environmental topic in Chapters 2 to 11 of Appendix A to the EIA Screening Report. A detailed assessment of the potential cumulative effects is provided in Chapter 5 of the EIA Screening, where each of the environmental topics listed is examined. These respective cumulative effects assessments individually concluded that there will be no significant cumulative impacts. In addition, as previously stated the proposed project's submitted associated AA Screening Report concludes that there is no potential for significant effects on any European sites from the proposed development, either alone or in combination with other plans and/or projects, in view of the best scientific information and the sites conservation objectives.

10.5.11. On the basis of their scale, nature, and duration, when considered in-combination with the proposed development, the potential for other existing and/or permitted development to cause significant cumulative impacts can be considered as not significant. In addition to this, I note that the adopted development plan has been subject to Strategic Environmental Assessment (SEA) which concludes that the adopted development scenario is the optimal solution having regard to environmental and planning effects. I have had regard to the status of the surrounding lands, which is largely in use for heavy industrial purposes, and I am satisfied that the proposal would not give rise to concerns in relation to significant cumulative effects.

Possibility of effectively reducing impact

10.5.12. Construction phase impacts have been assessed and appropriate mitigation measures have been provided to mitigate and reduce potential impacts. Implementation of standard best practice methodologies during the construction phase of the proposed development will result in a reasonable probability of effectively reducing any potential impacts. The detailed design of the proposed development has taken into consideration environmental risks during the lifetime of the development. Technical components of the proposed development, such as surface water management and noise mitigation (exhaust silencer, acoustic barriers), have been developed to address these specific elements, in line with established best practice and statutory requirements. In addition, embedded mitigation such as the proposed drainage linking to the existing stormwater drainage network, the absence of process wastewater, limited generation of foul wastewater which will be collected for disposal off-site, the modular nature of the development to reduce the construction duration, reuse of existing hardstanding and limited groundworks, all seek to ensure an optimised design is realised in which environmental impacts are minimised as much as possible. The decommissioning phase will entail similar activities to that of construction and as such this phase will also be required to employ best practices techniques which are applicable as set out in the CEMP (refer to Appendix B).

10.6. Conclusion on EIA Screening

10.6.1. Having regard to the examination above which considers the nature and scale of the proposed development, its characteristics and location and the types and characteristics of potential impacts, it is considered that the project is not likely to give rise to significant environmental impacts. Accordingly, the preparation and submission of an EIAR in respect of the proposed development is therefore not required.

11.0 Recommendation

11.1. I recommend that the Board determine that the development proposed to be carried out by the Department of the Environment, Climate and Communications on behalf of the Minister, would not be likely to have significant effects on the environment and therefore that the preparation and submission of an environmental impact assessment report is not required for the reasons and considerations set out hereunder.

12.0 Reasons and Considerations

Having regard to the following:

- a) The criteria set out in Schedule 7 and the information provided in Schedule 7A of the Planning and Development Regulations 2001, as amended,
- b) The limited nature and scale of the proposed development which is significantly under the thresholds set in Part 2 of the Schedule 5 of the Planning and Development Regulations 2001, as amended, in respect of Class 10b(iv) (Infrastructure – Urban Development), Class 3(a) (Industrial installations for the production of electricity, with a heat output of 300 megawatts or more), and Class 15 in relation to the potential for significant effects on the environment from sub-threshold projects,
- c) The location of the site on lands zoned for Heavy Industry under the provisions of the Fingal County Development Plan 2017-2023 and the results of the Strategic Environmental Assessment of this Plan undertaken in accordance with the SEA Directive (2001/42/EC),

- d) The location of the site in an established industrial built-up area served by public infrastructure and the existing pattern of development in the vicinity,
- e) The location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any relevant connectivity to any sensitive location,
- f) The limited potential for significant impacts arising from the proposed development,
- g) The submissions received from the EPA and landowners, and
- h) The report and recommendation of the Inspector,

It is considered that the proposed development would not be likely to have significant effects on the environment and, accordingly, that the preparation and submission of an environmental impact assessment report is not therefore required.

Máire Daly

Planning Inspector

08th November 2022