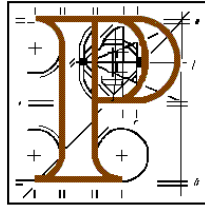


An Bord Pleanála



Inspector's Report

An Bord Pleanála Ref.: ABP-315002-22

Development: Amendments to ABP case 309119-21 for a 110kV Loop-in/Loop-out substation including substation compound, associated electrical plant & apparatus.

Site Address: Drumanan and Cornawall, Newbliss, Co. Monaghan

Applicant: Drumlins Park Ltd.

Type of Application: Request for the Board to amend the terms of an approved development under section 146B of the Planning and Development Acts 2000 (as amended).

Date of Site Inspection: N/A

Inspector: Karla Mc Bride

1.0 INTRODUCTION

- 1.1 This report deals with a request from Drumlins Park Ltd. that the Board exercise its power under section 146B of the Planning and Development Acts 2000, as amended to alter the terms of an approval made under section 182B to construct a 110kV substation.

2.0 LEGISLATIVE BASIS

- 2.1 Section 146B (1) of the acts allows a person who intends to carry out a strategic infrastructure development to request the Board to alter the terms of that approved development. Under sub-section 2 the Board must then decide, as soon as is practicable, if whether to do so would constitute a material alteration in the terms of the development. If it decides that it would not be material, then under section 146B (3)(a) it must alter the approval accordingly.

3.0 HISTORY

- 3.1 Under ABP-309119-21 the Board made an order on the 4th day of November 2021 to grant approval under section 182B of the acts for a development for the purposes of electricity transmission, described as a 110kV Loop in-Loop out substation with underground transmission cables and associated works. The substation was intended to connect the permitted Drumlins Park Windfarm to the grid (Reg. Ref.19/486).
- 3.2 Under ABP-312710-22 the Board made an order on the 20th day of May 2022 to amend Condition no.3 (a) in relation to the use of artificial lighting only in the event of an emergency.
- 3.3 Under ABP-313410-22 the Board made an order on the 20th day of May 2022 to amend the scale and height of the Independent Power Provider (IPP) building.

4.0 THE SITE

4.1 The site is located in the townlands of Drumanan and Cornawall, to the S of Newbliss Village in Co. Monaghan. The surrounding area is rural in character and there are several dispersed houses and farm buildings in the vicinity. The site comprises an agricultural field that is bound by trees and hedgerows with access off a narrow local road to the N which is also defined by hedgerows and trees. There is drainage ditch along the W site boundary that flows S towards a watercourse which ultimately drains to the Bunnoe River. There are several pNHA lakes and bogs in the area along with several further afield European sites. There are several recorded monuments and sites of historic interest in the wider area.

5.0 THE REQUEST

5.1 The application seeks to amend the terms of the approval to allow the following modifications to the development: -

- Re-align and extend the red line boundary to the N edge of the local road back to the W entrance of the consented 110kV substation compound.
- Additional land area within the would be 1579sq.m.
- The proposed alteration would have the following benefits: -
 - It would increase the bending radii of the cables.
 - It would remove the requirement to fell multiple trees.
- The application was accompanied by Planning Report which contained Planning Drawings, and Ecological Impact Assessment Amendment and Screening for Appropriate Assessment reports).
- Alterations will not have a significant impact on a European Site.
- The Ecological IA and AA Screening reports conclude that no potential impacts would arise as the amendments are minor in the context of the development as a whole.
- No new environmental impacts will arise that were not already considered under the original SID application, and the proposed realignment would be imperceptible.

- The red line amendment area is contained within the public corridor / local road, and as such does not require landowner consents.
- The alteration to the site boundary would not constitute the making of a material alteration to the terms of ABP-309119-21.

6.0 ASSESSMENT

- 6.1 The layout of the buildings within the amended development would be the same as that of the approved development. It would not have an impact on the use of the agricultural lands around the site that differed in any material way from the impact of the approved development in this regard which was previously considered by the Board. The surface water management arrangements that are part of the approved development would not be affected by the proposed amendments. Therefore, they raise no issues with respect to water quality and no significant effects could arise for any SAC or SPA downstream.
- 6.2 The amended development, which would comprise the realignment and extension of the red line boundary to the N edge of the local road back to the entrance to the approved 110kV, would serve to reduce any potential impacts on the landscape and ecology, as it would remove the requirement to fell multiple trees and hedgerows along the S roadside boundary. Having regard to the rural character of the surrounding area which comprises a small fields and local roads which are defined by hedgerows and mature trees, I am satisfied that the amendment would have positive benefits for visual amenity and biodiversity.
- 6.3 It is therefore concluded that the amended works proposed in this request would not be likely to have any effect on the environment, or on any Natura 2000 site, on or any aspect of the proper planning and sustainable development of the area that differed in a significant way from the likely effects of the development as previously approved. Therefore, the alteration of the terms of the approved development that has been requested would not constitute a material alteration.

6.4 The terms and conditions of the parent permission approved by the Board under ABP-309119-21 shall be complied with in full except if otherwise agreed by the Board.

7.0 RECOMMENDATION

7.1 I recommend that the board make an order altering the terms of the approval for a 110kV Loop in-Loop out substation with underground transmission cables and associated works, made under section 146B(3)(a) of the Planning and Development Acts 2000, as amended in the manner and for the reasons set out below.

REQUESTS received by An Bord Pleanála on the 1st day of November 2022 from Drumlins Park Ltd. under section 146B of the Planning and Development Act, 2000, as amended, in respect of a strategic infrastructure development described as a 110kV Loop in-Loop out substation with underground transmission cables and associated works.

PROPOSED ALTERATIONS:

Realign and extend the red line planning boundary to the northern edge of the local road, all the way back to the western entrance of the consented 110kV Substation compound.

WHEREAS the Board made a decision to grant approval, subject to conditions, for the above-mentioned development by order dated the 4th day of November 2021.

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

AND WHEREAS the Board considered that the proposed alterations would not result in a material alteration to the terms of the development, the subject of the approval,

AND WHEREAS having regard to the limited extent of the changes proposed, the Board decided not to invite submissions or observations in relation to the matter,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 1st day of November 2022.

MATTERS CONSIDERED

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

REASONS AND CONSIDERATIONS

Having regard to the terms of the development approved under section 182B of the Planning and Development Act, 2000, as amended, under An Bord Pleanála reference number ABP- 309119-21 on the 4th day of November 2021 and to the nature and limited scale of the changes now proposed, it is considered that the proposed alterations, either individually or in combination with other plans or projects, would not be likely to have any significant effect on the environment, or on any European site having regard to their conservation objectives, or on the proper planning and sustainable development of the area that had not been considered prior to the granting of the said approval for the development. The proposed alterations, therefore, would not constitute a material alteration of the terms of the development concerned.

Karla Mc Bride
Senior Planning Inspector
5th December 2022