



An
Bord
Pleanála

Inspector's Report

ABP-318844-24

Development	Construction of a new 110kV substation
Location	located in Belinstown, Swords, Co. Dublin. (www.esbbatterlanesubstation.ie)
Planning Authority	Fingal County Council
Applicant	The Electricity Supply Board (ESB)
Type of Application	Application under the provisions of Section 182A of the Planning and Development Act 2000, as amended
Prescribed Bodies	Department of Housing, Local Government and Heritage Health and Safety Authority Transport Infrastructure Ireland
Date of Site Inspection	23 rd October 2024
Inspector	Rachel Gleave O'Connor

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1.0 Introduction

- 1.1. An application has been made by the Electricity Supply Board (ESB) under the provisions of Section 182A of the Planning and Development Act 2000 (as amended), of a 110kV/MV electrical substation and associated works, on a c.2.4 hectare site in Belinstown, County Dublin. It is intended that the proposed substation, once constructed, would replace a 38kV substation granted permission by Fingal County Council in December 2023 (Reg. Ref. F23A/0643). There would be an estimated crossover period of c.2 years where both the temporary 38kV substation and the proposed permanent substation would be operational.

2.0 Site Location and Description

- 2.1. The proposed development is located in the north-eastern corner of an agricultural field. The M1 runs in a north-south direction to the east of the agricultural field and is separated from the site of the proposed substation by the mature planting along the M1 embankment, as well as by an agricultural access/accommodation track. The site is proposed to be accessed off Batter Lane. Batter Lane rises from the west to the east along the frontage of the site as it gains gradient to pass over the M1.
- 2.2. The site is proximate to existing Overhead Line's (OHL's) with an existing 38kV Glasmole-Loughshinny on the western boundary of the site and the existing Finglas-Stephenstown 110kV line in the east of the site.
- 2.3. There is a housing development 150m (approx.) to the northwest and one-off dwellings to the east and west of the site. The primary character of the area is formed by agricultural lands, comprising grassland, hedgerow, scrub and fence-lines.

3.0 Proposed Development

- 3.1. The proposed development will comprise the following:
 1. Removal of one existing 110kV Double Circuit Overhead Line Mast (c.30m in height);
 2. Construction of:

- i. A substation compound (c.4800sqm) with 2.6m high palisade perimeter fencing;
 - ii. A seven bay 110kV Gas Insulated Switchgear (GIS) building (c.600sqm; c.13m in height);
 - iii. Two 110kV Double Circuit Overhead Line End Masts (c.26m in height); four 110kV Overhead Line Gentries (c.16m in height); and associated outdoor electrical equipment to facilitate underground cable connections between the existing transmission circuits and the proposed GIS building;
 - iv. Two 110kV transformers in transformer bays (c.5m in height) with associated electrical equipment;
 - v. An internal access road (c.5m wide) and car parking area (5 no. parking spaces); and
3. All associated and ancillary site development works, and provision of site services including lighting, telecommunications, modified access from Batter Lane public road, drainage, and landscaping.

3.2. There is a temporary 38kV substation that has been granted planning permission by Fingal County Council under a separate application in December 2023 (Reg. Ref. F23A/0643), which has an operational life of 5 years, and it is envisaged that there will be an operational crossover period of c.2 years with the proposed substation under this application. The proposed substation is ultimately intended to replace the temporary 38kV substation.

4.0 Documentation Submitted with the Planning Application

4.1. The application was accompanied by the following documents:

- Planning Application Drawings and Schedule;
- Planning and Environmental Considerations Report:
 - Appendix A Screening for Appropriate Assessment;
 - Appendix B Landscape and Visual Impact Assessment (LVIA) and attachments;

- Appendix C Archaeological Impact Assessment;
- Appendix D Noise Assessment;
- Appendix E Flood Risk Assessment;
- Appendix F Engineering Services Report;
- Appendix G Site Investigation Report.

5.0 Submissions and Observations

5.1. Local Authority

5.1.1. Fingal County Council submitted their Planning Departments Submission on the Planning Application dated 4th March 2024. In summary, the Local Authority raises no objection in principle to the proposed development. Points of note are summarised below:

5.1.2. Planning Report

- Principle of the Development: The proposed Utility Installation is neither listed as 'Permitted in Principle' or 'Not Permitted in Principle' under the zoning. Overall it is considered that the principle is acceptable. The proposed use has also been accepted under Reg. Ref. F23A/0643 which approved a temporary 38kV substation.
- Impact on the Visual and Residential Amenity of the Area: A LVIA has been submitted with the application. The PA concurs with the findings of the applicant with regards landscape character. The PA also concurs with the visual assessment set out by the applicant. The siting, scale and design of the proposed development is considered to be acceptable within the existing site and its surrounding context, subject to conditions. In order to further assist the integration of the proposed GIS building and the substation compound, as well as for the site as a whole, the PA recommend a condition requiring the submission of a detailed landscape plan for the site, particularly to reinforce all site boundaries and to effectively screen the proposed development. The scale of the proposed development is considered acceptable subject to this screening. Recommend a condition requiring approval of external finishes. In

order to safeguard residential amenity and public health, a condition is recommended regarding noise levels during construction and operation. Recommend a condition requiring the submission of a timeline for the decommissioning of the 38kV electrical substation. With mitigation in place, including that in the submitted Environmental Considerations Report, the impacts of the proposed development would not be significant and there would be no unacceptable adverse impact on the visual or residential amenity of the area, and the proposal accords with policies and objectives under the Plan.

- Access and Transportation: The Transportation Planning Section have no objection subject to conditions concerning, no structures exceeding 900mm; no gate opening out onto public foot/road way; the vehicular entry-splay to be constructed in a bound road material or similar; and any damage caused to the pavement or road network to be rectified.
- Waste Management: The Environment Section (Waste Enforcement & Regulation) have no objection subject to preparation of a Construction and Demolition Resource Waste Management Plan. A Construction Environmental Management Plan has not been submitted by the applicant and should be conditioned.
- Conservation: The Conservation Officer Section raised no objections.
- Water Services: The Water Services Section have no objection. No report received from Uisce Éireann.
- Archaeology: The Heritage Officer concurs with the approach set out in the application submission. Recommend conditions concerning archaeological preservation and recording.
- Biodiversity: The Fingal County Council Ecologist Officer agrees with the conclusion of the submitted AA Screening Report. No objections, subject to conditions.
- Financial Contributions: The PA support the imposition of a condition towards financing an education and awareness programme in respect of renewable

energy and energy conservation for the community in the area (condition no.18).

- Conclusion and Recommendation: The proposal is considered to be in accordance with the proper planning and sustainable development of the area, subject to conditions, a grant of planning permission is recommended.
- Conditions: 18 conditions are recommended, those of note are included in the summary set out above.

5.1.3. Internal Departmental Consultees

- Parks and Green Infrastructure Division – No objections, subject to conditions.
- Transportation Planning Section – No objections, subject to conditions.
- Operations Department – No report received.
- Environment Section (Waste Enforcement & Regulation) – No objections, subject to conditions.
- Environmental Health Air & Noise Unit – No report received.
- Water Services Section – No objection.
- Community Archaeologist/Heritage Officer – No objections subject to conditions.
- Conservation Officer Section – No objection.
- Ecologist Officer – No objection subject to conditions.
- Biodiversity Officer – No report received.
- Public Lighting Section – Concerns and additional information required.
[Inspectors note: no further information provided with respect to this reference. See other matters section in part 8 of this report below.]

5.1.4. A summary of relevant internal department reports is also included in the planning report summary set out above.

5.1.5. Applicant response to Local Authority Reports

5.1.6. The applicant provided a response to submissions dated 28th March 2024. With respect to the Local Authority, the applicant summarised and acknowledged the

authority's comprehensive report. In relation to conditions recommended by the Local Authority, a general point is made by the applicant that issues are addressed in the environmental documents and addressed by mitigation measures or will be addressed during detailed design and construction stages for the project. No objections are raised to condition numbers 1-17. With specific reference to conditions 3, 12 and 13, the applicant states that many of the requirements will have already been addressed through implementation of the 38kV permission conditions. ESB considers condition no.18 to be unnecessary in the context of the project, which is to improve continuity of electricity supply and to facilitate increased renewables. ESB run many campaigns and schemes nationally and locally in various places throughout the county to promote renewable energy and energy conservation as part of its statutory role and a localised programme is not considered necessary in the context of this particularly project. ESB suggest that ABP do not attach the condition requiring a community gain fund.

5.2. Prescribed Bodies

5.2.1. Department of Housing, Local Government and Heritage

5.2.2. Archaeology: The Department is broadly in agreement with the submitted Archaeological Impact Assessment. Recommend conditions with respect to full archaeological excavation.

5.2.3. *Applicant response: ESB has consulted with the DAU (Development Applications Unit) during the preparation of the application and the licenced test excavations and is willing to accept a condition as suggested by the NMS (National Monuments Society). It should be noted that the groundworks and archaeological monitoring associated with the imminent construction of the permitted 38kV substation on the same site is likely to achieve the majority of the requirements of the suggested conditions.*

5.2.4. Transport Infrastructure Ireland (TII)

5.2.5. The proposed development includes works adjacent to where the M1 is maintained as part of Motorway Maintenance Renewal Contract Network Area A. TII is unable to determine whether the proposed substation compound site or associated proposed surface water drainage channel, as depicted on submitted drawings, interact with the

MMaRC maintained boundary. Any works including temporary works will require agreement and co-ordination with TII.

- 5.2.6. Where the national road network is to form part of the construction traffic haul routing, a number of operational issues related to the development proposal are required to be resolved as part of the Construction Traffic Management Plan (CTMP).
- 5.2.7. TII recommend conditions relating to the submission of a CMP and CTMP to the local planning authority for approval in writing subject to written agreement of TII.
- 5.2.8. *Applicant response: The project is not planning any interference or interaction with the M1 motorway other than its use for vehicular transport. It is therefore submitted that the requirements of section 53 of the roads will not arise in this instance and that the requirement for suggested condition 1 is not likely to arise. The only likelihood of non-standard vehicles using the M1 is likely to arise from delivery of exceptional loads such as transformers. In this case they will be permitted in accordance with the statutory requirements for exceptional loads and the requirement for conditions 1 and 2 is not likely to arise.*
- 5.2.9. Health and Safety Authority (HSA)
- 5.2.10. The HSA can confirm that the development will not constitute a new COMAH establishment nor is it within the vicinity of a COMAH establishment. The Authority would advise 'not against' based on the documentation submitted.
- 5.2.11. *Applicant response: No further action required from ABP in relation to this submission.*

5.3. **Observers**

- 5.3.1. No third party submissions received.

6.0 **Planning History**

6.1. Subject Site

- 6.2. Reg. Ref. F23A/0643: Fingal County Council granted planning permission on 15th December 2023 for a 38kV electrical substation. The development includes the

following elements: (1) Substation compound of approximately 700m² with 2.6m high palisade fence around the entire perimeter of the substation, with the following electrical plant within the substation: - 1 No. prefabricated 38 kV GIS module and foundation (c. 22m², 4.5m high), - 1 No. prefabricated MV GIS module and foundation (c. 5m high), - 1 No. 38/20 kV 5 MVA transformer and associated bund (c. 12m², 4.0m high); (2) Telecoms SCADA pole of approximately 10 metres in height; (3) Associated and ancillary outdoor electrical equipment and other apparatus, including installation of underground cables; (4) Replacement of existing 38 kV timber intermediate poleset (IMP18) in the northwest corner of the site with a similar timber poleset to support 38 kV cable connection; (5) The site will be accessed from the existing entrance off Batter Lane. The existing access road of approximately 125 m metres in length will be widened to a general width of 5m, from the public road to the substation property boundary, and there will be minor modifications to the existing vehicular entrance including a new entrance gate. An access road of approximately 100m in length and generally five metres in width will be constructed along the western side of the property to the proposed substation. (6) Compound lighting, boundary treatment, associated drainage, landscaping and all ancillary site development works. For information purposes only - it is ESBs intention to upgrade the proposed 38 kV substation, with a 110 kV substation within a period of 5 years, subject to a SID planning approval from An Bord Pleanála (ABP).

6.3. Adjacent Sites

6.4. Reg. Ref. F09A/0335 / ABP Ref. PL 06F.234812: Fingal County Council granted planning permission on 7th January 2010 for the Glasmore-Stephenstown 100kV line. An appeal was lodged in September 2009 to An Bord Pleanála and subsequently withdrawn prior to determination.

6.5. No other planning history of relevance to the current application.

7.0 **Legislative and Policy Context**

7.1. **National**

7.1.1. Climate Action Plan 2024

7.1.2. As part of its functions, the Board must, in so far as practicable, perform its functions in a manner that is consistent with the most recent approved climate action plan, most recent approved national long term climate action strategy, national adaptation framework, sectoral plans, furtherance of national climate objective and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State [section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended)].

7.1.3. National Planning Framework (NPF)

7.1.4. The NPF sets ten strategic outcomes, including NSO 1 – Compact Growth, NSO 5 – A Strong Economy supported by Enterprise, Innovation and Skills, which includes growth and investment in infrastructure, and NSO 8 – Transition to a Low Carbon and Climate Resilient Society, which includes the provision of new energy systems and transmission grides to support more distributed renewables-focused generation.

7.1.1. Government Policy Statement on Security of Electricity Supply, Nov. 2021

7.1.2. This policy statement notes that electricity is vital for the proper functioning of society and the economy. The statement lists challenges to ensuring security of electricity supply, including:

- Ensuring adequate electricity generation capacity, storage, grid infrastructure, interconnection and system services are put in place to meet demand – including at periods of peak demand; and
- Developing grid infrastructure and operating the electricity system in a safe and reliable manner.

7.1.3. Page 5 of the policy statement notes the Government has approved “*that it is appropriate for additional electricity transmission and distribution grid infrastructure, electricity interconnection and electricity storage to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply*”.

7.1.4. Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure

7.1.5. This statement notes the strategic importance of investment in networks and energy infrastructure, with such development expected to take account of all relevant standards.

7.1.6. Framework and Principles for Protection of Archaeological Heritage, 1999

7.1.7. This document was prepared by the Department of Arts, Heritage, Gaeltacht and the Islands and sets out the basic principles of national policy on the protection of the archaeological heritage. Section 3.0 notes that: - archaeological heritage is a non-renewable resource; the first option should be a presumption in favour of avoidance of developmental impacts and that preservation in-situ is the preferred option; if removal cannot be avoided, preservation by record should be applied; carrying out an archaeological assessment where appropriate is the first step in ensuring that preservation in-situ and by record take place; and monitoring is another method of ensuring that preservation takes place.

7.1.8. Flood Risk Management Guidelines

7.1.9. These Guidelines seek to avoid inappropriate development in areas at risk of flooding and avoid new developments increasing flood risk elsewhere and they advocate a sequential approach to risk assessment and a justification test.

7.2. Regional Planning Policy

7.2.1. Eastern and Midland Regional Spatial and Economic Strategy (RSES)

7.2.2. The Eastern and Midland RSES recognises the eastern region as a major load centre on the States transmission system:

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

7.2.3. Relevant objectives include:

- RPO 10.20: Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future

needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process.

7.3. Local Planning Policy

7.4. Fingal County Development Plan 2023-2029

- 7.4.1. Policy IUP27: Energy Networks and ICT Infrastructure – promotes the development of energy networks.
- 7.4.2. Policy IUP28: Promote Energy Efficient Development – promotes more energy efficient development.
- 7.4.3. Policy IUP29: Enhancement and Upgrading of Existing Infrastructure and Networks - supports the development of new energy systems.
- 7.4.4. Policy IUP31: Enhancement and Upgrading of Existing Infrastructure and Networks – supports EirGrid’s Grid Development Strategy – Your Grid, Your Tomorrow 2017, Implementation Plan 2017-2022, Shaping our Electricity Future-A Roadmap to achieve our Renewable Ambition 2021 and Transmission Development Plan (TDP) 2020-2029, and the Government’s Policy Statement on Security of Electricity Supply November 2021.
- 7.4.5. Objective IUO44: Energy Utilities – supports the development of enhanced electricity and gas supplies and associated transmission and distribution networks.
- 7.4.6. Objective IUO45: Undergrounding of Utility Infrastructure – requiring the locating of local utility service cables underground wherever possible.
- 7.4.7. Section 14.4.9 concerns Utility Facilities and the quality and finish of the public realm.
- 7.4.8. Objective DMSO17: Location of New Utility Structures – where possible, new structures should not be located adjacent or forward of front building lines or on open space.

- 7.4.9. Objective DMSO18: High Quality Design of New Utility Structures – requires new structures to be of a high-quality design.
- 7.4.10. Section 14.20.11 concerns Overhead Cables and Utility Facilities and their quality and finish, including landscaping.
- 7.4.11. Objective DMSO227: Location of New Utility Structures – where possible, not to locate new structures adjacent to or forward of front building lines or on open space.
- 7.4.12. Objective DMSO228: Design of New Utility Structures – requires a high quality of design.
- 7.4.13. Objective DMSO229: Impacts on Archaeological and Architectural Heritage – requires consideration of infrastructural project impacts on archaeological and architectural heritage.
- 7.4.14. Chapter 5 ‘Climate Action Plan’ addresses climate change, with policy CAP2: Mitigation and Adaption of relevance.
- 7.4.15. Policy EEP23: Rural Economy – supports rural economies.
- 7.4.16. The site is zoned ‘GB’ Green Belt where the objective is to ‘protect and provide for a Greenbelt.’ The site is also located in the ‘Rolling Hills with Tree Belts’ Landscape Character Area. There are a number of recorded monuments within proximity to the site, the majority of which are to the west of the site.

7.5. Natural Heritage Designations

- 7.5.1. The site of the proposed development does not overlap with any natural heritage designations. The following Special Protection Areas (SPA) and Special Conservation Areas (SAC) are most proximate to the site with approximate distance indicated in brackets:
- Rogerstown Estuary SAC (1.8km);
 - Rogerstown Estuary SPA (1.8km);
 - Malahide Estuary SAC (2.5km); and
 - Malahide Estuary SPA (2.5km).

- 7.5.2. An Appropriate Assessment of the proposed development has been carried out in Section 9 of this report below in relation to potential impacts on designated European sites.

7.6. Environmental Impact Assessment Considerations

- 7.6.1. The requirements for Environmental Impact Assessment (EIA) are outlined in Part X of the Planning and Development Act 2000 (as amended) and Part 10 of the Planning and Development Regulations 2001, as amended. Schedule 5 of the Regulations sets out the various classes and thresholds of development which require mandatory EIA. Part 1 of Schedule 5 lists projects for which mandatory EIA is required on the basis of their type while Part 2 of the same schedule lists projects on the basis of their relevant scale/size threshold that requires EIA.
- 7.6.2. There are no classes of development within Schedule 5 of the Regulations, that are applicable to the proposed development.
- 7.6.3. The proposed development which constitutes the provision of an electrical substation does not fall into a class of development contained in Schedule 5, Parts 1 or 2. Class 15 of the Schedule 5 states that EIA can be required in the case of a development listed in Part 2 that does not exceed a limit specified if it is considered that it that would be likely to have significant effects on the environment having regard to the criteria set out in Schedule 7 of the Regulations (Sub-threshold EIA). As the proposed development is not of a class listed there is no threshold for EIA and accordingly a subthreshold EIA is not applicable.

8.0 Assessment

- 8.1. I will address the main planning issues arising from the proposed development under the following headings:
- Principle of development
 - Design, layout and visual impact
 - Residential amenity
 - Movement and access

- Archaeology
- Water, drainage and flood risk
- Other issues

8.2. Principle of development

- 8.2.1. The Local Planning Authority raises no objection to the principle of the proposed development for a 110kV substation and associated works on the site, which would replace the temporary 38kV substation granted recently permission by Fingal County Council (ref. F23A/0643). There would be an operational crossover period of c.2 years with both the proposed substation and temporary substation on the site.
- 8.2.2. National, regional, and local planning policy all support the provision of electricity infrastructure to support transmission and distribution of this energy via national grid. The subject site is zoned 'GB' Green Belt under the Development Plan, with the objective to 'protect and provide for Greenbelt. The proposed development is not listed as a development that is either 'permitted' or 'not permitted' under the land use zoning, forming a utility installation and is therefore open to consideration subject to its contribution towards the achievement of the zoning objective and vision. The vision for the Greenbelt zone relates to checking the unrestricted sprawl of urban areas and forming an attractive landscape. The Local Planning Authority report notes that the principle of the proposed development is acceptable subject to other relevant policies and objectives under the Fingal Development Plan 2023-2029.
- 8.2.3. I am satisfied that with reference to the wider assessment set out in this report, the proposed development would not hinder the land use zoning objective and vision for Greenbelt land. I am also satisfied that the principle of a 110kV substation is in accordance with the overarching planning policy framework, and particularly Objective 55 in the NPF, policies IUP29, IUP31 and objective IUO44 Fingal Council Development Plan 2023-2029.

8.3. Design, layout and visual impact

- 8.3.1. The subject site is located within a landscape character area of 'Agriculture Rolling Hills with Tree Belts'. The site is also designated 'Modest Landscape Value' and of 'Medium Sensitivity' in the landscape character assessment of the Fingal Development Plan 2023-2029. The application includes a Landscape and Visual

Impact Assessment and associated photomontages. Objectives DMSO17, DMSO18, DMSO227 and DMSO228 asks for new utility structures to be located sensitively and to a high-quality design.

- 8.3.2. The Local Authority stated in their submission on the application that they concur with the findings of the submitted Landscape and Visual Impact Assessment and that the siting, scale and design of the proposed development is acceptable given the existing site context and subject to conditions. The subject site is situated adjacent to the M1 motorway with several industrial units in the wider context as well as a large farmstead. There are also existing overhead lines within the site, notably the Finglas-Stephenstown 110kV line to the east of the site. The proposal will replace an existing overhead line mast with two overhead line masts but will reduce the height of the masts from c.30m to c.26m.
- 8.3.3. The submitted Landscape and Visual Impact Assessment (LVIA) identifies viewshed reference points (VRP's) to study the visual impacts of the proposal. There are 6 VRP's taken from the R132 at Staffordstown Turvey, Batter Lane and the R132 at Lissenhall Little. During construction, short-term negative visual effects of moderate-slight significance is anticipated within the immediate confines of the site, reducing to slight and imperceptible significance in the wider area. During the operational stage, it is envisaged that there will be a c.2 year crossover period where both the temporary and permanent substations will be operational. The LVIA therefore assesses the visual impact of both the temporary 38kV and proposed 110kV substations together, as well as the proposed 110kV substation alone, and both pre-mitigation and post-mitigation. Proposed mitigation is in the form of new planting to aid screening and softening of the proposed development in views from the surrounding area. The overall impact of the proposed development in operation is anticipated to result in negative visual effects, with a significance of no greater than moderate-slight. Therefore, no significant negative visual impact is identified.
- 8.3.4. The proposed development comprises electrical infrastructure, the most visual elements being formed of a 13m height (approx.) switchgear building with a floor area of 600sqm, two 26m high (approx.) overhead line end masts, four overhead line gantries 6m in height (approx.) and two 5m high (approx.) transformer bays. The site currently accommodates a 30m high (approx.) overhead line end mast which would be removed as a result of the proposed development. The switchgear building is

proposed to be set towards the south and middle part of the site aligned to the west boundary and will appear as a large, shed type structure. The overhead lines are proposed to be situated to the north and south of the site, towards the east boundary closest to the motorway. Mitigation is proposed in the form of planting to be retained at boundaries and new planting to provide visual screening of the structures. While the current character of the area in which the site is located is of agricultural fields, there are also existing electrical infrastructure in the form of overhead lines and end masts, as well as large farm sheds. There are also additional industrial sheds to the east of the site and on the opposite side of the M1.

- 8.3.5. While the proposed development will result in negative visual effects in an area of modest landscape character and designated as agriculture rolling hills with tree belts under the plan, I am satisfied that the existing landscape character includes infrastructure that also influences the landscape character, and that the proposal would not result in significant negative visual impact considering this existing character. I also note that the Local Planning Authority also considered the proposed development to be visually acceptable in light of this existing site character informed by the motorway, large sheds and overhead lines.
- 8.3.6. In relation to cumulative landscape and visual impacts, the submitted LVIA, as outlined above, has considered the visual effects of both the approved temporary 38kV and proposed 110kV substations in place, with these effects outlined above. There are no significant cumulative impacts identified and no other projects in the vicinity of the proposal that would have potential for in-combination effects.
- 8.3.7. Overall, I am satisfied that the submitted LVIA accurately describes the predicted visual effects of the proposed development, and these will be within acceptable parameters with reference to the existing landscape character of the area. With the implementation of mitigation in the form of landscape planting to screen views of the site, the proposal will be integrated into the area and impact will be reduced as the development and the planting becomes established. I have recommended a condition with respect to this planting that generally reflects the condition recommended by the Local Planning Authority.

8.4. **Residential amenity**

8.4.1. No concerns have been raised by either the Local Planning Authority or prescribed bodies with respect to residential amenities, and there are no responses from third parties. The application was accompanied by a Planning and Environmental Considerations Report accompanied by appendices that described and examined potential impacts on the receiving environment, including with respect to construction, traffic and landscape effects. A cul-de-sac of residential properties is located to the north west of the site, on the opposite side of Batter Lane. The closest property to the site would be c.150m away from the proposed substation building. There are also other residential properties in excess of 500m away from the site. There is potential for some disturbance during the proposed works in terms of construction traffic, noise and dust. However, impacts would be managed and mitigated by the measures in a Construction Environmental Management Plan (CEMP). Page 36 of the submitted report identifies that ESB would require the contractor to produce a CEMP prior to commencing works as a standard, and this mitigation can be secured through conditions requiring a final CEMP. Given the significant distance to the nearest surrounding residential dwellings, there are no long-term impacts anticipated during the operational phase.

8.5. Movement and access

8.5.1. The Planning Authority does not raise any concerns with respect to traffic movement or access associated with the proposed development. Transport Infrastructure Ireland (TII) state that they are unable to determine whether the proposed substation compound site or associated surface water drainage channel interacts with the M1 boundary, with reference to necessary consents required if there is interaction and recommending a condition requiring TII's written agreement to a Construction Management Plan (CMP) with respect to the same. TII also refers to the potential use of the proposed development of the M1 for traffic haul routes and recommends a condition regarding their written agreement to a Construction Traffic Management Plan (CTMP) regarding the same.

8.5.2. It is proposed to utilise an existing field access to the site by upgrading it to the applicable standards of the Local Authority. During construction, it is proposed to manage and mitigate traffic related impacts through the preparation and implementation of a Traffic Management Plan (TMP). The only traffic generated

during operational phase will be as a result of minimal and intermittent maintenance purposes as the substation is proposed to be unmanned.

- 8.5.3. With respect to TII's submission, the applicant has confirmed in their response that the project is not planning any interference or interaction with the M1 motorway other than associated with vehicular transport. The applicant also confirms that the site will be accessed mainly via the local road network, with the only exception being delivery of exceptional loads, which would be permitted in accordance with the statutory requirements for exceptional loads. The applicant has therefore requested in their response to TII's submission that TII's suggested conditions not be applied by the Board.
- 8.5.4. Any condition attached to a grant of consent for the proposed application, and where details are required for approval, would be subject to the written agreement of the Local Planning Authority. Such conditions would not require the written agreement of third parties / prescribed bodies who can be consulted with, but do not form the decision-making body with respect to planning applications. I am satisfied that the applicant has clarified that the M1 motorway will not be interfered with or interacted with as a result of the proposed development, that vehicular traffic attracted to the site will be minimal and accessed from the local road, and any exceptional loads during construction would access the motorway in accordance with statutory requirements. I am recommending that the Board attached a condition requiring the submission of a Construction Environmental Management Plan which will include an explanation of construction vehicle management (a TMP), and this plan will be for the written agreement with the Local Planning Authority as the appropriate decision-making body, should the Board agree with this approach. I therefore do not consider the conditions requested by TII to be necessary.
- 8.5.5. I note the conditions recommended by the Local Planning Authority with respect to visibility at the vehicular entrance, and I have included a condition requiring details in this regard. With respect to making good any damage to the existing pavement network, I note that the road network serving the site does not benefit from pavement currently, and so I have not included this condition.

8.6. **Archaeology**

- 8.6.1. The Local Planning Authority does not raise any concerns with respect to archaeology and notes agreement with the approach set out in the application submission. Similarly, The Department confirms agreement with the submitted archaeological assessment. Both bodies recommend conditions concerning further archaeological testing and preservation.
- 8.6.2. Objective DMSO229 of the Development Plan 'Impacts on Archaeology and Architectural Heritage' asks that infrastructure projects consider impacts upon archaeological and architectural heritage.
- 8.6.3. An Archaeological Assessment has been submitted with the application. This describes archaeological testing undertaken at the site. There were 6 test trenches excavated, with 4 features of archaeological potential identified. These comprise archaeological features in the ground, mostly sub-oval in form, including post holes, a kiln and a pit feature. Page 2 of the submitted report describes the results of archaeological investigations in the area surrounding the site undertaken as part of separate unrelated projects.
- 8.6.4. I am satisfied with the suggested approach to excavation, monitoring and preservation set out in the submitted archaeological assessment. The submitted assessment also states that further approval will be sought from the National Monuments Service of the Department of Heritage, Local Government and Housing (as the appropriate body) if further mitigation is required. With the application of a condition to secure this further testing (excavation), monitoring and recording/preservation, no significant negative impact upon archaeological features will result from the proposed development.

8.7. Water, drainage and flood risk

- 8.7.1. No submissions have been received from prescribed bodies or third parties with respect to water, drainage or flood risk. The Local Authority state in their submission that the water services section has no objection.
- 8.7.2. The application submission includes a Flood Risk Assessment. This concludes that there is no significant risk of flooding to the proposed development and no increase in flood risk to the surrounding area. A submitted Engineering Services Report describes the proposed surface water drainage arrangements for the site and any effects upon water infrastructure including supply.

- 8.7.3. The subject site is situated in Flood Zone C, and the proposed development is permissible in this zone. The proposed surface water drainage for the development incorporates a new surface water sewer to be constructed along the access road, to drain surface water from the site to an established drainage ditch. This surface water will be attenuated on site and discharged at a controlled rate to mimic greenfield conditions. There is no current water supply within the site, and it is proposed to sink a well at the northern section of the site to provide for toilet flushing, hand washing and kitchen sink supply. My Appropriate Assessment at section 9 of this report also considers surface water drainage of the site and any associated impact upon designated European sites. The site is identified to be of low ecological importance in general. The interface of the proposed drainage arrangements for both the approved temporary 38kV substation and the proposed 110kV substation has also been addressed in the submitted Engineering report. No significant negative effects are identified with respect to water, drainage and flood risk.
- 8.7.4. I am satisfied that the proposed development is acceptable with respect to water, drainage and flood risk considerations.

8.8. Other matters

8.8.1. Noise and Vibration

- 8.8.2. There are no concerns noted by third parties. The Local Planning Authority states that where mitigation is in place in the form of conditions to control noise during construction and operation, there are no concerns. A Construction Environmental Management Plan (CEMP) can be required by condition to address noise and vibration, mitigating potential noise and vibration effects during construction of the proposed development. In light of the temporary and short-term character of construction related noise impact, I am satisfied that impact arising from the proposed development will be within acceptable parameters. During operation, a condition can prescribe the acceptable noise limits to be achieved on site.

8.8.3. Cumulative Impacts

- 8.8.4. The application is accompanied by supporting assessments that describe and examine potential impacts and in-combination effects on the receiving environment. The main project relates to the recently permitted 38kV substation which would be decommissioned as a result of the operation of the proposed development and this

decommissioning can be secured by conditions attached to any grant of consent for this current application. Having regard to the nature, scale and location of surrounding projects, the proposed development, and in light of mitigation proposed as identified in this report, I am satisfied that no significant adverse cumulative effects will arise.

8.8.5. Public Lighting

8.8.6. I note the reference in the Local Authority Planning Report with respect to concerns raised by the public lighting department and a request for additional details, however no detail of the concerns raised, or additional detail requested is provided and it is not clear whether this reference in the report is accurate as it is not raised in the main body of the local authority assessment. With respect to the proposed lighting arrangements for the development, these are referenced as being included as part of the proposed works, however limited detail is provided which is not unusual for applications at this stage in the design process. I am satisfied that the final arrangements for lighting can be secured for approval by condition, and that there is no potential for significant negative effects to occur as a result of lighting with such a condition in place. There is nothing inherent in the design of the proposed development that would lead to significant lighting concerns in my view, and I am satisfied that the appropriate approach to finalising the lighting arrangements for the site is to review these as part of conditions, as such I have included a condition requiring the same in my recommended order below.

8.8.7. Financial Contributions

8.8.8. The Local Planning Authority recommends in their report that a condition is attached to any grant of consent for the proposed substation, to require a financial contribution towards an education and awareness programme in respect of renewable energy and energy conservation for the community in the area (condition no.18).

8.8.9. The Local Planning Authority refers to section 182B(6) of the Planning and Development Act 2000 (as amended) which allows the Board to attach conditions for the financing of a service that would constitute gain to the community. The Local Planning Authority goes on to refer to the applicant's submission, which states that local growth in the area puts a strain on the electricity system, resulting in loading shedding and unplanned outages affecting customer supply in early 2023, with the

proposed development seen as a long-term solution to continuity of supply in the area. The Local Planning Authority states that they consider there to be a synergy between the overall proposal and the current approach towards sustainable energy provision and usage in the context of climate change. Therefore, the Local Planning Authority suggests a condition towards financing an education and awareness programme in respect of renewable energy and energy conservation for the community in the area. The Local Planning Authority also goes on to note that there are no section 48 or 49 schemes that would be levied on the proposed development.

8.8.10. In their response to the Local Planning Authority report, the applicant states that the proposed development would improve the continuity of electricity supply and will facilitate increased renewables. They also state that ESB (the applicant) run campaigns and schemes nationally and locally in various places throughout the county to promote renewable energy and energy conservation as part of its statutory role and a localised programme is not considered necessary in the context of the proposed development.

8.8.11. The proposed development type does not fall under the scope of the council's development contribution scheme under section 48 and there are no projects / programmes which would relate to the type of financial contribution requested by the council included in that scheme. The subject site is not located in an urban area where there is an established well populated residential community that would benefit from such a programme, and the location of the site is more remote from the urban population of Swords. As such, I do not agree with the council that there is a community gain matter to be addressed by the applicant by way of a financial contribution. I also consider the connection suggested in the Local Planning Authority report between the proposed development and the need for such a programme to be financed by the applicant to be weak. As such, I have not included the condition as suggested by the Local Planning Authority in my recommended order below.

9.0 Appropriate Assessment

9.1. This section of the report considers the likely significant effects of the proposal on Natura 2000 European sites with each of the potential significant effects assessed in

respect of each of the European sites considered to be at risk and the significance of same. The assessment is based on the submitted Screening for Appropriate Assessment with the application.

9.2. I have had regard to the submissions of prescribed bodies and the Local Planning Authority in relation to the potential impacts on European sites, as part of the Natura 2000 Network of sites.

9.3. The Project and Its Characteristics

9.4. See the detailed description of the proposed development in section 3.0 above.

9.5. The European Sites Likely to be Affected (Stage I Screening)

9.6. The subject site is situated over a 1 hectare site (approx.) of agricultural land used for tillage, located to the west of the M1 motorway, in the north Fingal area. The surrounding area are typical of agricultural land, encompassing tillage, grazed land, hedgerows, scrub and fence-lines. In the wider areas, there are industrial units and residential dwellings. An access track leads from the L5190 (Batter Lane) into the site.

9.7. There are no watercourses or drainage ditches located within the footprint of the proposed site. Open field drains are located at the eastern and southern field boundaries, which both drain into the Staffordstown Stream. The Staffordstown Stream is approx. 450m to the southeast, and flows into the Malahide Estuary. According to the EPA GIS Map Viewer, the Water Framework Directive (WFD) status of the Staffordstown Stream is 'Poor'.

9.8. The site itself is not situated within a European site, the closest being circa 1.8km away at Rogerstown. The following designated sites are considered sufficient proximate or linked to the site to require consideration for potential effects:

- Rogerstown Estuary SAC;
- Rogerstown Estuary SPA;
- Malahide Estuary SAC;
- Malahide Estuary SPA.

9.9. The specific qualifying interests and conservation objectives of the above sites are described below. In carrying out my assessment I have had regard to the nature and

scale of the project, the distance from the site to European sites, and any potential pathways which may exist from the development site to a European site, as well as the information on file and I have also visited the site.

9.10. The qualifying interests of all European sites considered are listed below:

Table 9.1: European Sites/Location and Qualifying Interests

Site (site code) and Conservation Objectives	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
Rogerstown Estuary SAC (000208) 1.8km To maintain or restore the favourable conservation condition of qualifying interests/species of conservation interest for which the SAC has been selected.	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
Rogerstown Estuary SPA (004015) 1.8km To maintain the favourable conservation condition of qualifying interests/species of conservation interest for which the SPA has been selected.	Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Wetland and Waterbirds [A999]
Malahide Estuary SAC (000205) 2.5km To maintain or restore the favourable conservation condition of qualifying interests/species of conservation interest for which the SAC has been selected.	Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310]

	<p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>
<p>Malahide Estuary SPA (004025) 2.5km</p> <p>To maintain the favourable conservation condition of qualifying interests/species of conservation interest for which the SPA has been selected.</p>	<p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Wetland and Waterbirds [A999]</p>

9.11. The above table reflects the EPA and National Park and Wildlife Service (NPWS) list of qualifying interests for each SAC/SPA requiring consideration.

9.12. Potential Effects on Designated Sites

9.13. The submitted report identifies any pathways or links from the subject site to European Sites considered in this screening assessment, and I summarise this below.

9.14. There is a hydrological connection between the proposed development site via the Staffordstown Stream to the Malahide Estuary SAC and SPA. The European sites at Rogerstown are located closer to the proposed development site, however there are no feasible impact pathways, and specifically no hydrological connection.

- 9.15. The subject site does not contain any suitable ex-situ supporting habitat of QI/SCI species. While Light Bellied Brent Geese (an SCI of both Rogerstown and Malahide SPAs) forage outside intertidal areas, the subject site does not support the well-maintained amenity grassland they forage on. The submitted report identifies that the Wintering Bird Surveys undertaken for the Metrolink Project of lands in Lissenhall and Balheary Demense (c.1km to the south) did not indicate any significant numbers of SCI species (for the relevant European sites) occurring. The submitted report also identifies that there are no records of relevant species in the 10km map square where the subject site is situated. Therefore, there is no potential for direct habitat loss and/or habitat fragmentation of any suitable ex-situ supporting habitat for any QI/SCI species for any European site, as a result of the proposed development.
- 9.16. There is a potential pathway between the subject site via field drains on the eastern and southern boundaries which discharge to the Staffordstown Stream forming a hydrological pathway to the Malahide Estuary SAC and SPA. It is proposed to direct operational surface water discharges from the proposed development to the open field drain to the south of the site. During construction, surface water runoff could potentially enter the Staffordstown Stream and flow towards the European sites at Malahide Estuary. A significant reduction in water quality at these European sites could potentially result in an indirect impact on their QIs/SCIs. However, the submitted screening report asserts that no significant effects will arise due to the following:
- The small scale, temporary nature of the construction works;
 - The overground distance between the main development site and the field drains; and
 - The substantial instream distance between the proposed development site and the downstream European sites allowing for significant mixing, dilution and dispersion of any surface water runoff prior to discharge into the Malahide Estuary.
- 9.17. The submitted report also identifies that the proposed development includes two 31.5 MVA bunded transformer with integrated Class 1 full retention oil separator, ensuring that surface water runoff is properly managed and treated during the operation of the proposed development. This is not a mitigation measures required in

response to potential effects upon European sites but is a designed-in measure that would feature irrespective of proximity or potential links to European sites.

9.18. As a result, no likely significant effects are identified with respect to any European sites as a result of the proposed development. I am satisfied with the conclusions reached in the submitted AA screening report, and agree with the conclusions set out, specifically that there are no likely significant effects upon European sites identified.

9.19. In-combination Effects

9.20. The submitted report considers the potential for in-combination or cumulative effects with other plans or projects to be completed. The most relevant of these is the permission recently gained by ESB for a temporary 38kV substation which will be subsumed by the proposed development. It was subject to a separate planning application and following the construction and commissioning of the proposed development, the 38kV substation will be decommissioned and removed. The 38kV substation was subject to Screening for Appropriate Assessment which concluded that there are no likely significant effects on any European site, with particular regard to their conservation objectives, alone or in-combination, during either construction or operation. There will not be any overlap of the two developments, due to the planned timelines, and therefore no likely in-combination effects are identified. Furthermore, with reference to other relevant planned developments in the area, the submitted report does not identify any likely significant in-combination effects. I concur with the conclusions of the submitted report with respect to the potential for cumulative effects and I am satisfied that there is no likelihood of significant in-combination effects occurring as a result of the proposed development alongside other planned projects or plans.

9.21. AA Screening Conclusion

9.22. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment, it has been concluded that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites Rogerstown Estuary SAC (000208), Rogerstown Estuary SPA (004015), Malahide Estuary SAC (000205),

Malahide Estuary SPA (004025), or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

9.23. This determination is based on the following:

- The distance between the proposed development site to the designated European sites highlighted above, the lack of a direct hydrological pathway with the potential to facilitate significant effect, or where a pathway exists, the dilution and dispersal effects that would occur, as well as the lack of any other pathway or link to any European sites.

9.24. This screening determination is not reliant on any measures intended to avoid or reduce potentially harmful effects of the project on a European Site.

10.0 Conclusion

10.1. The proposed development comprises a 110kV substation and ancillary structures. National, regional and local planning policy all support the provision of infrastructure to support transmission and distribution of energy via national grid. While the proposed development will result in some negative visual impact, this impact will not be significant and will reduce as the development and screen planting is established, and the existing character of the area is already formed by existing electrical infrastructure and large shed structures. The proposed development would not give rise to excessive traffic generation, traffic hazard or endanger the safety of other road users, either during the construction or operational phase. With the application of suitable conditions as set out below, the proposed development also does not give rise to any significant negative residential amenity, archaeological / heritage, drainage or ecological impacts.

10.1.1. Overall, the proposed development conforms with national, regional and local planning policies.

11.0 Recommendation

11.1. I recommend permission be GRANTED for the reasons and considerations set out below and subject to the following conditions.

12.0 Reasons and Considerations

12.1. Having regard to:

- a. The governments Climate Action Plan 2024, which the proposed development is consistent with;
- b. The governments Project Ireland 2040 National Planning Framework;
- c. The Regional Spatial and Economic Strategy for the Eastern and Midland Assembly;
- d. The Fingal County Development Plan 2023-2029;
- e. The nature, scale, and extent of the proposed development;
- f. Documentation submitted with the proposed application, as well as any submissions and observations from prescribed bodies, the planning authority and any third parties;
- g. The separation distances between the proposed development and dwellings or other sensitive receptors;
- h. The planning history of the site and surrounding area;
- i. The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the absence likely significant effects of the proposed development on European Sites;

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning and related policy, it would not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.2. Appropriate Assessment – Stage 1

The Board noted that the proposed development is not directly connected with

or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of potential significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the following European Sites: Rogerstown Estuary SAC (000208), Rogerstown Estuary SPA (004015), Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), or any other European site, in view of the site's Conservation Objectives. This screening determination is based on the following: The distance between the proposed development site to the aforementioned designated European sites, the lack of a direct hydrological pathway with the potential to facilitate significant effect, or where a pathway exists, the dilution and dispersal effects that would occur; as well as the lack of any other pathway or link to any European sites.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>The mitigation measures contained in the submitted Planning and Environmental Considerations Report, shall be implemented.</p> <p>Reason: To protect the environment.</p>
3.	<p>Provision shall be made for adequate visibility at the vehicular entrance. Details of this provision shall be submitted to and agreed in writing with the planning authority prior to the commencement of development, and the development shall be carried out in accordance with the agreed details.</p> <p>Reason: To ensure a satisfactory provision and layout for commercial vehicles, in the interest of traffic safety.</p>
4.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <ul style="list-style-type: none"> (i) Existing trees, hedgerows, shrubs, as specified for retention in the submitted application; (ii) The measures to be put in place for the protection of these landscape features during the construction period; (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species; (iv) Details of substantial appropriate screen planting to all boundaries, and any other boundary treatment, and for the creation of berms/embankments as necessary to achieve screening of the site; (v) Details of biodiversity net gain and the provision of bird, bat boxes and insect hotels; (vi) The project Landscape Architect shall be retained by the developer for the duration of the project to supervise implementation of the landscape plan.

	<p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
5.	<p>Any clearance of vegetation from the development site shall only be carried out in the period between the 1st September and the end of February (outside of the main bird breeding season).</p> <p>Reason: To avoid the destruction of nest, nestlings and eggs of breeding birds.</p>
6.	<p>Prior to the proposed 110kV electrical substation development becoming operations, the applicant shall submit and agree details and plans with the Local Planning Authority regarding the decommissioning of the 38kV electrical substation which was approved under Reg. Ref. F23A/0643. These details shall include a timeline for completion of the decommissioning as well as detailed restoration plans for the land.</p> <p>Reason: In the interest of clarity, visual and residential amenity and the proper planning and sustainable development of the area.</p>
7.	<p>External lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. External lighting shall be of a type that ensures deflection of light downwards and cowled.</p> <p>Reason: In the interest of amenity and public safety.</p>
8.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the</p>

	<p>Council for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
9.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
10.	<p>Details of the materials, colours and textures of all the external finishes to the proposed overground structures, gas insulated switchgear (GIS) building, overhead line end masts and gantries, transformer bays, lightings, telecommunications and fencing/gate boundaries shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority/An Bord Pleanála prior to commencement of development. In default of agreement the matters in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>
11.	<p>The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with</p>

	<p>the development. A programme of full archaeological excavation shall be implemented to ensure the preservation by record under licence to the National Monuments Service. All mitigation measures in relation to archaeology and cultural heritage as set out in the Archaeological Impact Assessment (IAC Ltd, June 2023) shall be implemented in full and in accordance with the requirements of the National Monuments Service as set out by the Department of Housing, Local Government and Heritage. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation.</p> <p>The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.</p>
12.	<p>The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in the Archaeological Impact Assessment (IAC Ltd. June 2023). The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and</p>

	<p>construction activity.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest</p>
13.	<p>The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, to include a Construction Traffic Management Plan and Construction and Demolition Resource Waste Management Plan, which shall be submitted to, and agreed in writing with, the local planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compounds including areas identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network; (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels. Noise abatement measures shall comply with the Local Planning Authority requirements; (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such

	<p>bunds shall be roofed to exclude rainwater;</p> <p>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(m) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be available for inspection by the local planning authority;</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
14.	<p>Site development and building works shall be carried out between the hours of 8.00am and 7.00pm Mondays to Fridays inclusive, between 8.00am to 1.00pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>
15.	<p>All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground.</p> <p>Reason: In the interests of visual and amenity.</p>
16.	<p>Noise during operation of the development shall not give reasonable cause for annoyance to noise sensitive locations in the vicinity. The cumulative noise emissions from the operation of the development shall not exceed the background noise level by more than 5dB(A) during the day, evening and night periods. The development shall be managed to ensure that air emissions and/or odours do not result in significant impairment of local amenities and the environment.</p>

	Reason: In order to protect adjoining residential amenity.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Rachel Gleave O'Connor
Senior Planning Inspector

24 October 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318844-24			
Proposed Development Summary	Construction of a new 110kV substation.			
Development Address	Belinstown, Swords, Co. Dublin.			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	<input checked="" type="checkbox"/>	
		No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes	<input type="checkbox"/>		EIA Mandatory EIAR required	
No	<input checked="" type="checkbox"/>		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No	<input checked="" type="checkbox"/>	N/A		No EIAR or Preliminary Examination required
Yes	<input type="checkbox"/>			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____