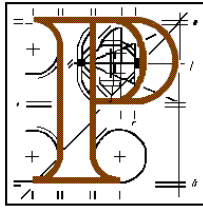


An Bord Pleanála



INSPECTOR'S REPORT

**APPLICATION UNDER SECTION 182A PLANNING AND DEVELOPMENT ACT
2000 (AS AMENDED)**

REFERENCE NO: 06S.VA0019

DEVELOPMENT: West Dublin 220/110 kV Substation
& Associated Works

LOCATION: Grange Castle Area, Co Dublin

PLANNING AUTHORITY: South Dublin County Council

APPLICANT: EirGrid Plc

TYPE OF APPLICATION: Strategic Infrastructure Development

OBSERVATIONS / SUBMISSIONS: South Dublin County Council
Dept of Arts, Heritage & Gaeltacht
Inland Fisheries Ireland
Irish Water
Transport Infrastructure Ireland
Marie Crosbie
Henry & Ted Crowley
John & Beverley Power

DATE OF SITE INSPECTION: 18th January 2016, 16th March 2016
& 22nd April 2016

INSPECTOR: Mary Crowley

1.0 INTRODUCTION

- 1.1 An application has been made directly to the Board under the provisions of Section 182A of the Planning and Development Act 2000 (as amended) for the development of a substation and associated works at Grange Castle Area, Co Dublin. It is intended that the proposed substation will serve the growing energy demands of commercial uses located within the zoned lands of Grange Castle Business Park (zoned for commercial and industrial use in the South Dublin County Development Plan 2010-2016).
- 1.2 The applicant entered into pre-application discussion with the Board, as provided for in Section 182E of the Act, between April and November 2015. The Board issued a Direction on the 1st December 2015 advising the prospective applicant that the development would be Strategic Infrastructure within the meaning of S182A of the Act. The current application before the Board is made on foot of this Direction.
- 1.3 It is noted that during pre-application consultations, An Bord Pleanála gave the preliminary view that an EIS was not required as part of the planning application. However, this does not preclude An Bord Pleanála from requesting an EIS at a later date.
- 1.4 The application is accompanied by an Environmental Report and an Appropriate Assessment Screening Report. The Board decided on 18th May 2016 that an oral hearing would not be necessary in this case.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The subject site is located in the Grange Castle area of west Dublin just south of Adamstown and just north of Baldonnell Aerodrome a military aerodrome and the N7. The site is within the northern part of the South Dublin County Council administrative area. This area of west Dublin incorporates a number of land uses including amenity, agriculture, residential and commercial/industrial uses.
- 2.2 Grange Castle South Business Park, on the southern side of the R134 is the site of the proposed GIS substation. The Inchicore-Maynooth 220 kV double-circuit overhead line located to the north of Grange Castle South Business Park and the Grand Canal and to the south of Adamstown runs east to west generally parallel to the Dublin- Kildare-Cork railway line. As described below (Section 3.0 refers) it is proposed that a section of this existing overhead line (approximately 3 km) including 13 existing towers is to be removed subsequently as part of the proposed development. The two interface compound sites are to be located along the route of the existing 220 kV line; the western one just south of the railway and proximate to

Adamstown Station, with the eastern one located north of the railway and at the southeastern side of the roundabout at the R136 / Ninth Lock Road.

2.3 The Grand Canal must be crossed by the 220 kV cable routes twice in order to connect the proposed substation with the existing overhead 220 kV line, once in the west (using the R120 road following the proposed upgrade (preferred option) or by going underneath the canal using horizontal direction drilling (alternative option) and once in the east (using cable ducts in the existing R136 road). The 12th Lock Bridge, which is a protected structure, enables the R120 road to cross the canal in the west of the study area.

2.4 **Option A** (preferred 220kV double circuit, mainly within roads) - South Dublin County Council have plans for widening and realigning parts of the R120 and R134 to include new footpaths, cycle ways, tree verges, removal of existing roadside planting and establishment of new roadside planting. It is proposed that the preferred cable route (Option A) will follow the alignment of these new roads and will be almost fully located within the hard surface of the roads.

2.5 **Option B** (alternative 220kV double circuit, mainly within roads, some cross-country sections) - An alternative cable route has been designed which allows the cable routing construction in the event of the R120 and R134 upgrades being delayed. This option includes more cross-country routing, although it runs under the existing road along the R136 and in part of the R134. The corridor traverses cross-country from the western interface compound to just north of the Grand Canal where it will pass under the canal using horizontal directional drilling. The cable route emerges again south of the Grand Canal and travels eastwards towards the R120 before running along the western side of the R120, and leading from the west into the substation site at Milltown.

2.6 A set of photographs of the site and its environs taken during the course of the site inspections is attached. I also refer the Board to the photographs and visual aids of the project site and environs available to view throughout the planning file.

3.0 PROPOSED DEVELOPMENT

3.1 The planning application for the West Dublin 220/110 kV Substation and Associated Works was submitted to the Board on 18th December 2015 and comprises the following elements:

- A 220/110 kV Gas Insulated Switchgear (GIS) substation compound, on an approximately three hectare site (including associated landscaped space). The main elements of the substation comprise:
 - a 220 kV substation building of approximately 720 square metres, rising to approximately 16.6 m over ground level;

- a 110 kV substation building of approximately 528.3 square metres, rising to approximately 14.5 m over ground level;
 - four No. associated 220 kV to 110 kV transformers sited within transformer bunds;
 - associated external over ground electrical equipment and apparatus including cable sealing ends, surge arrestors, conductor support structures, post insulators, lightning monopoles (approximately 15 m over ground), lighting and associated underground cabling;
 - associated ancillary drainage works;
 - associated site development and landscaping works;
 - associated substation car parking (12 spaces), vehicular circulation route, and other hard surfacing; and
 - associated 2.6 m (approximately) high metal palisade substation perimeter fence, including substation entrance gates approximately 5.1 m wide.
- Two interface compound sites (approximately 0.1 ha each) to connect the existing Inchicore-Maynooth 220 kV double-circuit overhead line to the proposed substation by means of underground cable:
 - both interface compounds include electrical equipment and apparatus including 2 No. gantries (each rising to approximately 20 m over ground), cable sealing ends and surge arrestors, as well as associated hard surfacing, site drainage, and a 2.6 m (approximately) high metal palisade perimeter fence including a vehicular entrance gate approximately 5.1 m wide;
 - associated ancillary drainage works;
 - associated site development and landscaping works;
 - vehicular access to the western interface compound will be via a new access route approximately 1.3 km long and 5 m wide, connecting to the western side of the R120 regional road via an existing access road currently serving the Lucan Sarsfields GAA Club sports grounds. Vehicular access to the eastern interface compound will be via a new access route approximately 240 m long and 5m wide, connecting to the north-western side of Lynches Lane (L-5218-1); and

- a lattice steel terminal tower (approximately 38.7 m in height) will be located adjacent to each interface compound under the existing alignment of the Inchicore-Maynooth 220 kV double-circuit overhead line (i.e. 2 No. terminal towers are proposed), and which will direct the existing double-circuit overhead line into the proposed interface compounds.
- The associated removal of a section (approximately 3 km in length) of the existing Inchicore-Maynooth 220 kV double-circuit overhead line, comprising that section of overhead line between the two interface compound sites which is made redundant. This will include the removal of 13 existing towers.
- Four 220 kV underground cables connecting the two interface compound sites with the new substation. These comprise:
 - Two 220 kV underground cables including associated cable joint bays carrying the double-circuit from the western interface compound via the proposed interface compound access route, and the planned upgraded R120 and R134 regional roads (both of which are the subject of Part 8 Approval for such road upgrade), as well as a proposed cable route corridor of approximately 315 m between the alignment of the upgraded R134 and the proposed substation site. As an alternative in the scenario where such planned road upgrade is delayed, the underground cable will be laid generally adjacent to these existing road alignments, but outside the area of the approved upgrade. Stated that this alternative option will connect to the proposed substation site via the Baldonnel Road L2001-1 and a cable corridor located adjacent to the private road within this overall industrial development area; and
 - Two underground cables including associated cable joint bays carrying the double-circuit from the eastern interface compound via the R136 and R134 regional roads, running under lands immediately south of the R134 road at Grange Castle Golf Course and within the Profile Park industrial development area to the proposed substation site. As an alternative in the scenario where use of the Profile Park industrial development area cannot be facilitated, the underground cable will be laid within the alignment of the R134. This alternative option will connect to the proposed substation via a cable route corridor of approximately 315m between the alignment of the R134 and the proposed substation site.

3.2 The cable connections, from the two interface compound sites to the proposed substation, will involve the laying of approximately 7.5 km of 220 kV cables.

- One 110 kV underground cable connecting the proposed substation with the existing 110 kV Corkagh substation located within the existing Grange Castle

Business Park. This cable will be laid within the existing access road also proposed to provide vehicular access to the proposed West Dublin substation, as well the Baldonnel Road L2001-1 and an internal access road within Grange Castle Business Park.

- 3.3 The development, as described above, includes works to be carried out within the Clonburris Strategic Development Zone and Adamstown Strategic Development Zone.
- 3.4 Submitted that while approved, the planned R120 and R134 road upgrades may not have occurred at the time of construction of the project (assuming the project obtains its own statutory consent). Therefore, while laying the 220 kV underground circuits in the planned upgraded roads remains the preferred option for the project, it has been considered prudent to explore alternative cable route options. The alternative cable routes (each 8 m wide) are located as close to these existing roads as possible, but outside the extent of the road upgrades.
- 3.5 Accordingly the applicant has progressed two cable route corridor options.
- Cable Route Corridor Option A (preferred cable route). This route which will see the cables predominately laid within the existing and upgraded road network; and
 - Cable Route Corridor Option B (alternative cable route). This option will see the cables following a cross county route and partially laid in existing roads.
- 3.6 Also stated that while each cable route option is 8 m wide, an approximately 16 m wide route corridor for each option within which the 8 m cable route will be laid has been identified and subjected to an environmental appraisal.
- 3.7 The application was accompanied by an planning application form, public notices, planning drawings and a Planning and Environmental Considerations Report (policy, alternatives, human beings, material assets, landscape and visual amenity, biodiversity, soils and contaminated lands, water, cultural heritage, dust, noise and vibration, traffic and transport, construction and demolition works and interactions).
- 3.8 Having regard to the nature and scale of the proposed development and the submissions / observations made in relation to the planning application, on March 9th 2016 the Board, in accordance with Section 182A(5)(a) of the Planning and Development Act, 2000, as amended, requested the applicant to **submit in writing any response they had relation to the submissions / observations** which had been received. The Board drew particular attention to the submission of the Department of Arts, Heritage and the Gaeltacht summarised as follows:

1. The requirement for the rerouting of the cables in the area adjacent to two ponds bordered by woodland located at the north western corner of the grounds of Lucan Sarsfield GAA Club given the character of the ponds and their bordering woodland and the high probability that smooth newts occur there and
2. The surveying for evidence of the presence of otters on the River Griffeen or any of its tributaries for a 100m up and downstream of the crossing points.

3.9 In their response the applicant submitted a **revised cable route** (Cable Route Corridor Option A refers). This revision is highlighted in Figures 1 and 2 as presented in Appendix 1 of the submission and involves re-routing a section of the 220kV cables to the west of the woodland and around the two ponds rather than through the woodland habitat that included the pond areas. Having regard to the proposed amendments to the route that are out with the red line boundary of the site together with the submission of an Archaeological Testing Report the Board invoked its powers under Section 182A(8)(a) of the Act requiring the undertaker to publish notice of the furnishing of further information. Public notices were published Thursday 14th April starting a 3 week consultation period from Friday 22nd April to Friday 13th May , the last day for making of further written submission.

4.0 SOUTH DUBLIN COUNTY COUNCIL (SDCC)

4.1 SDCC in their submission of 17th February 2015 has provided a detailed and comprehensive assessment of the proposed project. It is the stated overriding view of SDCC that this proposed development will be of positive benefit for the sustainable development and growth of the county having regard to the removal of the existing power line and the provision of increase power supply to existing and proposed development lands.

4.2 It is the view of SDCC that the application should be granted permission by An Bord Pleanála subject to 24 conditions relation to roads, construction, demolition, waste, ecology, surface water, landscaping, drainage, lighting, the 12th Lock Bridge, external finishes, screening and the provision of a bond.

4.3 The submission was accompanied by reports from the following:

- **SDCC Roads Section** who recommended that additional information be provided relating to provision of cross sections, programme of works and traffic management plan;
- **Environmental Services Department (Waste Management)** – who have no objection subject to conditions relating to construction and demolition waste management;

- **Parks Department** who have a strong preference for Option A to be implemented over Option B and in the event that planning permission is granted for this development conditions relating to landscaping, treatment of streams and watercourses should be applied;
- **Urban Design Officer** who stated that it would be ideal if the westernmost transmission station could be relocated a bit more to the west of the site and that semi-solid screening and revised planting to the Eastern Interface Compound be provided;
- **Heritage Officer** who stated that on balance Option A would be the least damaging and provided conditions in order to mitigate for loss or disturbance to biodiversity along either route.

5.0 PRESCRIBED BODIES

5.1 **Inland Fisheries Ireland (3rd February 2016)** - No objection to the proposed application subject to the following:

- All works to be completed in accordance with the Mitigation detailed in the Planning and Environmental Considerations Main report.
- All crossings in the Griffeen Catchment should at a minimum be completed by temporary diversion or by fluming, crossing by open cut is unacceptable in a salmonid channel.

5.2 **Transport Infrastructure Ireland (4th February 2016)** - No comment to make on the further information submitted.

5.3 **Irish Water (19th February 2016)** - Irish Water does not have any objection to the proposal in principle and recommended that in the event of a grant of permission An Bord Pleanála attach a condition requiring EirGrid to consult with Irish Water to agree details in relation to the proposed strategic watermain.

5.4 **Department of Arts, Heritage and Gaeltacht (22nd February 2016)** - The submission addresses Archaeology and Nature Conservation and recommended the granting of permission subject to the following conditions:

1. The results of the archaeological testing to be carried out as mitigation should be submitted to An Bord Pleanála and to the Department of Arts, Heritage and the Gaeltacht for evaluation and comment in advance commencement of construction works.

Reason: to ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

2. That in the vicinity of the two ponds and bordering woodland located at the north western corner of the Lucan Sarsfield GAA Club grounds the 220Kv power lines to be laid between the western interface compound to the 220/110Kv substation should be routed to the west and around the more westerly pond along the proposed Option B route whichever route option (A or B) is selected for the rest of the lengths of these power lines.

Reason: to preserve the aquatic and woodland habitats associated with these ponds and particularly their value as probable breeding sites for smooth newts.

3. Where power lines are to be laid across the Griffeen River or any of its tributaries as part of this proposed development, surveys to be carried out for evidence of the presence of otters for a 100m up and downstream of the crossing points and submitted to the NPWS. If any breeding or resting places of otters, namely holts or couches, are discovered within the construction corridors of the power lines, licences from the Habitat Directive and interference with these places to be applied for to NPWS before any work on this project is undertaken.

Reason: to conserve a species of high conservation importance afforded a regime of special protection under the European Habitats Directive 92/43/EEC as transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations 2011.

6.0 OBJECTIONS / OBSERVATIONS

6.1 There are three objections / observations submitted on the file that may be summarised as follows:

6.2 **John and Beverley Power (15th February 2016)** raised the concerns regarding the location of cabling in the R120; location of cabling in the 12th Lock Bridge; requirement to provide a Road Safety Audit, technical and safety concerns with respect to the R120 Road Improvements; energy reuse efficiency of data centres and also requested an oral hearing.

6.3 **JFOC Design on behalf Ted and Henry Crowley (15th February 2016)**

- Ted and Henry Crowley own lands immediately south of Adamstown SDZ and is separated by the railway line.

- Requested that the location of western interface compound and adjacent tower to be positioned at the outer extremity of the SDZ lands and in proximity to the north / south road pattern adjacent to the existing angular tower. This would facilitate the enhancement of future residential and visual amenities and provide for the maximum development potential of valuable and finite land resources.
- The temporary southern ramp to the railway bridge turns at 90 degrees in an easterly direction so as to reduce impact on the working farm. It is proposed that it will be constructed in a southerly direction and aligned with the northern ramp in due course. The position of the proposed interface and tower would prejudice the achievement of this objective and it is requested that the interface and tower be moved away from the bridge.
- Eirgrid have agreed to construct the access road to a standard and dimension so that it can be of benefit to the future development of the landowners land. However the construction and drainage details associated with the access road are ambiguous and incomplete.

6.4 Marie Crosbie c/o Brendan Steen Solicitors (dated 19th February 2016)

- Marie Crosbie's consent was not sought or obtained for the submission of planning over her lands.
- Eirgrid should apply to the Board for one route of the line in question and not two as indicated in the drawings
- The works to which development relates clearly encompasses an obligation to comply with the habitats directive and the development appears to be such as to require an appropriate assessment for the purposes of that directive.
- No environmental Impact Statement has been made available
- Oral hearing request

7.0 EIRGRIDS RESPONSE TO SDCC, PRESCRIBED BODIES AND OBSERVATIONS / OBJECTIONS

7.1 Eight submissions were received by An Bord Pleanála during the period of statutory consultation. By correspondence dated 9th March 2016, An Bord Pleanála requested EirGrid to provide a written response to these submissions. EirGrid response to each submission is summarised as follows.

7.2 I would also point out that particular attention was drawn to the submission of the Department of Arts, Heritage and the Gaeltacht and the requirement for the (1)

rerouting of the cables in the area adjacent to two ponds located proximate to Lucan Sarsfield GAA Club given the high probability that smooth newts occur there and (2) the surveying for evidence of the presence of otters on the River Griffeen. The last date for receipt of response was 30th March 2016.

- 7.3 **Inland Fisheries Ireland** - Stated that any in-stream works will be carried out with the written approval of the Inland Fisheries Ireland and that there will be no discharge of suspended solids or any other deleterious matter to watercourses. Confirmed that all works will be completed in accordance with the mitigation proposals detailed in the Planning and Environmental Considerations Report and that water crossings will be constructed in accordance with the requirements of the Office of Public Works and Inland Fisheries Ireland.
- 7.4 **John and Beverley Power** - EirGrid has no responsibility for the CPO process, nor does it intend to acquire lands from the subject parties to facilitate the proposed transmission infrastructure development. SDCC has received Part 8 Approval for the upgrade of the Adamstown Road Improvement Scheme (R120) that includes works to the 12th Lock Bridge and they have confirmed that there is capacity for the proposed 220 kV circuits in ducts which will be laid within the approved R120 road upgrade. The preferred cable route option is Option A via this approved R120 road upgrade. Trenchless construction methods for crossing the Grand Canal will only be used in the eventuality that the R120 road upgrade does not proceed or has not proceeded at the time of construction. EirGrid has no comment on technical or safety matters relating to the approved R120 road upgrade, other than as noted above in respect of their ability to accommodate the proposed 220 kV cables. Energy Reuse Efficiency of Data Centres is not a matter relating to the provision of transmission infrastructure development.
- 7.5 **Ted and Henry Crowley** - The Observers' lands are not part of the Adamstown SDZ and neither are they zoned for development. It was noted that moving further west would require a considerably greater length of underground cable, requiring more land for cable laying and access routes; it would be further away from the project demand and the new substation site; it would also be further away from the R120 road; it would also involve four more land folios. As a result this option was deemed more constrained than the proposed site location. The currently proposed removal of approximately 3 km of existing double-circuit 220 kV overhead line, including the removal of 13 associated towers will improve the visual amenity of the area significantly. The proposed screen planting around the compound will reduce the visual effect of the new structures at ground level. The upper parts of the proposed western compound, such as tower and gantry structures will remain visible due to their height. A permanent 8m wayleave will be required along the length of the underground cable route. The landowner will continue to have full ownership and access to the wayleave, however there are some restrictions on development. Irish Rail requires a separation distance of approximately 10m from the edge of the

railway line to the edge of the cable and this has been incorporated into the design of the wayleave and access route to the western compound.

- 7.6 **South Dublin County Council** - EirGrid proposes to use available ducting within the upgraded R120 road including where it crosses the 12th Lock Bridge and therefore EirGrid does not propose to design an otter bridge crossing at the 12th Lock Bridge. Ecological mitigation measures detailed in the Planning and Environmental Considerations Report will be implemented as part of the project. Further details related to the services for the site are provided in the Engineering Services Report accompanying the planning application. It will be noted that the substation is essentially an unmanned facility. All waste arising from the development will be disposed of at an authorised waste facility. The relocation of the eastern interface compound further east would result in an increased visual impact for existing residences located north of the Ninth Lock Road. The methodology used for laying the cables will involve the excavation of trenches within a construction corridor and the installation of cable ducts within those trenches. A temporary Traffic Management Plan will be developed, in advance of the works and these will form part of a construction and Traffic Management Plan to reduce the potential impacts associated with the cable laying operations and other works. Contributions is a matter for the discretion of the Board, and EirGrid will of course comply with any such conditions.
- 7.7 **Uisce Éireann (Irish Water)** - EirGrid will consult with Irish Water further to provide details of the proposed cable locations in the event of a grant of statutory approval.
- 7.8 **Marie Crosbie** - It is not correct that there was a lack of consultation or awareness of the Observer of the proposed development. Consultation continued throughout the development of the project and included phone calls, letters and providing copies of the published reports and mapping. If Cable Route Option A is progressed, the 220 kV cables will be placed within the R120 road upgrade for which SDCC has received Part 8 Approval. EirGrid does not impact on Ms. Crosbie's land under this option. The need for EIA and the requirement for Appropriate Assessment in respect of this proposed development is a matter for An Bord Pleanála as Competent Authority.
- 7.9 **Department of Arts, Heritage & Gaeltacht** - Since the submission of the planning application, EirGrid's archaeological consultant Moore Group has carried out archaeological testing (between the 22nd and 24th of February 2016) at the proposed substation site and at the eastern interface compound (access was not facilitated for the western interface compound site). Access for environmental surveys was not facilitated for the area of lands that include the western interface compound site and access route. As a consequence, no smooth newt survey was conducted in the pond area. Given the recommendations of the NPWS, EirGrid has identified a minor revision to the preferred cable route (Cable Route Corridor Option

A) in this area. This modified route option would therefore not run through the woodland habitat, including the pond area. Prior to any works, EirGrid will employ a qualified Ecologist who will carry out an otter survey.

- 7.10 **NOTE** the submission was accompanied by a **Report on the Archaeological Testing of an Interface Compound at Kishoge** and a 220/110 kV Substation at Aungierstown/ Ballybane, Co. Dublin prepared by Moore Group March 2016.

8.0 RELEVANT PLANNING HISTORY

- 8.1 The report from SDCC has provided a comprehensive planning history for the project area and is available to view on the file and includes reference to the Adamstown SDZ, works at Sarsfield GAA and the business parks within the area. There was a previous Compulsory Purchase Order Scheme for the Adamstown Road (R120) that can be summarised as follows:

PL06S.CH3239 – An application by South Dublin County Council for a Compulsory Purchase Order entitled ‘South Dublin County Council Compulsory Purchase (Adamstown Road (R120) Improvement Scheme) Order, 2015’ for the purpose of realigning the R120 (Adamstown Road) was confirmed by the Board in December 2015.

- 8.2 For the Boards information I would add that the most recent decision by the Board on a similar **Strategic Infrastructure Development** may be summarised as follows. A copy of the direction has been provided in the accompanying pouch:

An Bord Pleanála Reference Number 17.VA0018 (Planning Authority: Meath County Council) - Runways Information Services Limited care of AECOM Infrastructure and Environment Ireland Limited sought approval for a period of ten years, for the construction of a new 220-kilovolt substation compound, and associated loop-in connection to the existing Corduff – Woodland Number 1 overhead 220-kilovolt line, in the townlands of Portan, Gunnocks and Clonee, County Meath. The application included an Environmental Impact Statement. The Board approved the proposed development under section 182B of the Planning and Development Act, 2000, as amended, in accordance with the said plans and particulars subject to the 7 conditions.

9.0 NATIONAL PLANNING POLICY CONTEXT

- 9.1 **National Spatial Strategy 2002 – 2020** - The National Spatial Strategy recognises the need to upgrade the national grid including reinforcement of the transmission and distribution networks. It acknowledges the importance of the development of key electricity infrastructure in facilitating national, regional and local economic progress,

and in this regard, the need to identify locations where additional new loads and electricity generation can be accommodated. Section 3.7.2 of the Strategy relates to Energy.

- 9.2 **Energy Policy Framework 2007-2020 – Delivering a Sustainable Energy Future for Ireland (Energy White Paper)** - This sets out a strategic energy policy framework to deliver a sustainable energy future for Ireland. One of the key elements of the policy framework is to ensure the delivery of security of supply, which is considered to be essential for all sectors of the economy, for consumers in general and for society as a whole. The key items needed to deliver a secure supply of electricity on a consistent basis are identified as robust networks and electricity generating capacity. To this end, it is an overall objective to strongly support electricity investment programmes in the high voltage transmissions network and the distribution network, (such as those planned or being undertaken by ESB Networks), in order to facilitate regional development. The white Paper also sets the target of 33% of electricity being produced from renewable generation by 2020.
- 9.3 **Green Paper on Energy Policy in Ireland (2014)** - The government has completed public consultation in respect of a Green Paper on Energy Policy in Ireland (originally published in May 2014). The paper recognises that, while significant improvements have been made to the electricity grid to bring it up to acceptable international standards, it will still *'require continued development and renewal to ensure that Ireland's energy system is safe, secure and ready to meet increased demand as economic conditions improve'*. Furthermore the Paper expresses support for strategic infrastructure investment, including that of the Grid25 programme, to meet future demand and to cope with renewable developments, *'the capacity of Ireland's transmission system would need to double by 2025'*.
- 9.4 **Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure, July 2012** - This Government policy statement acknowledges the essential need to meet the demand for energy in a safe, secure and continuous manner as it is the lifeblood of the economy and society. It reaffirms the imperative need for development and renewal of the energy networks, in order to meet both economic and social policy goals. The Government endorses, supports and promotes the strategic programmes of the energy infrastructure providers, particularly EirGrid's Grid 25 investment programme across the regions. The benefits are identified as securing electricity supply to homes, businesses, factories and farms; underpinning sustainable economic growth in the regions and enabling Ireland to meet its renewable energy targets. It is acknowledged, however, that there is a need for social acceptance and endorses the inclusion of community gain considerations into project planning and budgeting.
- 9.5 **Grid25** – Grid 25: A strategy for the development of Ireland's electricity grid for a sustainable and competitive future (2008) outlines Eirgrid's strategy for upgrading

the national electricity network up to 2025. Grid25 is considered to be essential to supporting growth in the regions and ensuring continued reliability and security of supply and allowing regions to attract new and support existing industry. Benefits from investment in improvements to and new infrastructure for the North Western region are stated to include security of supply, attraction of future industry and the provision of renewable energy for use within the region. The report outlines that without investment in the region's electricity transmission network there will be no capacity by the second half of the next decade in the network to cater for new customers and the reliability of the supply will fall below normal international standards. Furthermore, there will be no capacity in the network to allow further renewable generation to be connected, and given that the north-west is a renewable-rich region, this would have severe consequences for Ireland in terms of meeting its renewable energy targets.

- 9.6 **Regional Planning Guidelines for the Greater Dublin Area (GDA) 2010-2022** - The Regional Planning Guidelines for the Greater Dublin Area (GDA) 2010-2022 set out a planning strategy for the region which includes estimates of population growth, as well as providing an economic strategy and a settlement strategy for the region. It also includes proposals for the development of infrastructure, including transmission networks, in the region. The Guidelines seek to ensure that the potential of the area is maximised so that the region and the country can benefit economically (Section 3.1 refers). Reliable, secure, and cost-competitive energy supplies are part of the infrastructure that is essential for economic growth (Section 3.2 refers).

10.0 SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2010-2016

- 10.1 This project lies within the administrative area of South Dublin County Council. The current statutory development plan for the area is the South Dublin County Development Plan 2010-2016 as varied. I would draw the Boards attention to a new draft plan that has been prepared and adopted. According to the South Dublin County Council website on Monday 16th May 2016, the Elected Members of South Dublin County Council officially adopted the South Dublin County Council Development Plan 2016–22. This new plan will become operational on June 12th 2016 and will be used in the determination of all planning applications from this date. At time of writing this report is only available in draft format together with material variations on the SDCC website. It is my understanding that the final plan will not be available until or close to when it is operational.
- 10.2 According to the Core Strategy section of the **South Dublin County Development Plan 2010-2016** *telecommunications and energy supply are both crucial to the continued development of our County and the County Development Plan supports their continued improvement.* **Section 2.5 Telecommunications and Energy** states that the *development of a secure and reliable electricity transmission infrastructure is recognised as a key factor supporting economic development and*

attracting investment to the County particularly as the Electricity Supply Board is facing higher demands due to an increase in population and growing commercial activity, and additional capacity will be required if demands continue to rise. Section 2.5.3 Strategy states that the strategy of the Council for the development of Energy in the County includes supporting the infrastructural development of energy facilities in association with the appropriate service providers.

10.3 With regard to **Service Providers and Energy Facilities** section 2.5.13 of the plan states that the *Council will be open to the future requirements of the major service providers, such as Bord Gais and the ESB, where it is proposed to enhance or upgrade existing facilities or networks. Policy EC10 Service Providers and Energy Facilities states that it is the policy of the Council to encourage the provision of energy facilities in association with the appropriate service providers. The Council will facilitate the sustainable expansion of the existing service provider networks, notably Bord Gais and the Electricity Supply Board (ESB), in order to ensure satisfactory levels of supply and to minimise constraints for development.*

10.4 When assessing planning applications for energy and communications developments Section 2.5.15 **Energy and Communications infrastructure in Sensitive Landscapes** states that the assessment will include consideration of the following as appropriate:

- *Sensitivity of the landscape and adjoining landscapes to wind energy projects;*
- *Scale, size and layout of the project, any cumulative effects due to other projects, and the degree to which impacts are highly visible over extensive areas;*
- *Visual impact on protected views and prospects, and designated scenic landscapes as well as local visual impacts*
- *Impact on nature conservation, archaeology and historic structures, public rights of way;*
- *Local environmental impacts including noise, shadow flicker; and*
- *The visual and environmental impacts of associated development such as access roads, plant, and grid connections.*

10.5 Section 2.5.4 states that overhead cables detract from visual amenity and therefore it is an objective of the Council to seek the placing underground of cables in new developments. It is the intention of the Council to co-operate with other agencies as appropriate, and to use its development management powers in the implementation of this policy. **Policy EC1: Overhead Cables** states that *it is the policy of the*

Council in all new development to seek the placing underground of all electricity, telephone and TV cables wherever possible, and specifically in areas of sensitivity such as Architectural Conservation Areas (ACAs), or areas of High Amenity or Liffey Valley zoning, in the interests of visual amenity. This provision shall not apply to temporary cabling necessary for the servicing of development site workshops or offices. Exceptional cases may be justified only with evidence from appropriately qualified professionals.

- 10.6 Furthermore, section **2.5.13 Service Providers and Energy Facilities** states that *it is an objective of the Council that where proposed high voltage lines traverse existing or proposed residential areas they shall be located underground in the interest of residential amenity. Policy EC2: High-Voltage Power Line (Adamstown-Dublin City Boundary)* states that *it is the policy of the Council to work with EirGrid and to encourage all agencies involved, to seek the placing underground of the high-voltage power line between Adamstown and the Dublin City Council boundary, including the pylon at the junction of Station Road and the Adamstown Link Road.* (Section 2.5.5.ii)
- 10.7 **Section 10.2.9 Service Providers and Energy Facilities** of the **South Dublin County Development Plan 2016-2022** states that the Council will *work in partnership with existing service providers, in particular ESB Networks, Eirgrid and Gas Networks Ireland to facilitate required enhancement and upgrading of existing infrastructure. Energy (E) Policy 11 Service Providers and Energy Facilities* states that *it is the policy of the Council to ensure that the provision of energy facilities is undertaken in association with the appropriate service providers and operators, including ESB Networks, Eirgrid and Gas Networks Ireland and that the Council will facilitate the sustainable expansion of existing and future network requirements, in order to ensure satisfactory levels of supply and to minimise constraints for development.*

11.0 LOCAL AREA PLANS

- 11.1 There are a number of Local Area Plans (LAP) and Strategic Development Zones (SDZ) in South County Dublin. The Clonburris SDZ and LAP affects the site of proposed eastern interface compound. The Adamstown Strategic Development Zone is located to the north of the proposed development and close to the location of the western interface compound. This SDZ is subject to the adopted Adamstown Strategic Development Zone Planning Scheme of September 2003. The site is outside the SDZ and separated from it by the Dublin-Kildare-Cork railway line.

12.0 SUBMISSIONS & OBSERVATIONS TO FURTHER INFORMATION

- 12.1 Five submission(s) / observation(s) were received that may be summarised as follows:

- 12.2 **Inland Fisheries Ireland** - States that the response is satisfactory.
- 12.3 **Transport Infrastructure Ireland** - No comments to make on the further information submitted.
- 12.4 **John & Beverley Power** - Concerned with regard to the implications of the proposed development for the proper planning and sustainable development of the area concerned (road improvement scheme, 12th Lock Bridge and 12th Lock Chamber); the likely effects on the environment of the proposed development; otter species habitat that exists directly east of 12th Lock Bridge and covers both canal and millrace and requested that all alternative options are considered that would not affect the Grand Canal associated with this route. Submission accompanied by a response from *SDCC Roads Design and Construction* setting out the following:
- 1) Drawing (draft format) setting out the “design information for the 12th Lock Bridge” provided showing the cross section of the proposed new road where it crosses the centre lines of the existing arch and new bridge deck over the Grand Canal identifying all proposed services and their positions.
 - 2) Confirmed that the 12th Lock Chamber (located on the west of the existing lock bridges) will not be affected by the Part 8 Public Notice of Adamstown Road (R120) Improvement Scheme as all new construction is on the east of the 12th Lock Bridge.
- 12.5 **Henry & Ted Crowley** - Imperative that the proposed obtrusive infrastructure should not visually or physically prejudice the proper and sustainable future development of the observers land holding which is coterminous with recent heavily invested commuter rail network and adjoining lands. The significant community gain and gain for the observer from undergrounding of cables falls at the “last hurdle” by not extending the underground network a further step to the west where an “angled” tower/pylon is already in place. This is supported by SDCC Urban Design Office.
- 12.6 **Marie Crosbie** - Objects as a matter of principle to any development on their land without their permission or consent having first being obtained. Eirgrid cannot as a matter of law acquire any right or interest in the observers clients land. Eirgrid has no power to acquire a way leave. Reference is made to Frascatti Estates Ltd vs Walker. The only entity with power to acquire an interest in land under the Electricity Supply Acts is the Electricity Supply Board and they are not party to this application. Objects to this development being preceded without an SEA and an EIA being carried as is required. In addition, the development is likely to have significant effects on the environment and therefore requires and EIA even if it were sub-threshold. Noted that it is now acknowledged clearly as part of the Moore report that it the development will affect and require the demolition of part of a historic

monument. An appropriate assessment is required given that mitigation measures that are necessary in order to ameliorate effects and in particular because of the surface water regime that connects with identifying and establishing European sites. Reference is made to the test set out recently by Finlay Geoghegan J in Kelly v An Bord Pleanála.

13.0 ASSESSMENT

13.1 The application submitted to the Board on 18th December 2015 sought permission for the West Dublin 220/110 kV Substation and Associated as described in Section 3.0 above. On March 9th 2016 the Board, in accordance with Section 182A(5)(a) of the Planning and Development Act, 2000, as amended, requested the applicant to submit in writing any response they had relation to the submissions / observations which the Board had been received. In their response to the Board on 30th March 2016 or 14th April 2016 the applicant submitted a revised cable route (Cable Route Corridor Option A) which involved the re-routing a section of the 220kV cables to the west of the woodland habitat and ponds together with an Archaeological Testing Report. The applicant published notices on Thursday 14th April starting a 3 week consultation period from Friday 22nd April – Friday 13th May. **Accordingly the following assessment is based on the plans and details submitted to the Board on 18th December 2015 as amended by further plans and details received by An Bord Pleanála on 30th March 2016 and 14th April 2016.**

13.2 I note concerns raised that Eirgrid should apply to the Board for one route of the line in question and not two as indicated in the drawings. In this case I am satisfied that the public notices give a satisfactory description of both the nature and extent of a Route A and B and adequately inform the public of both options.

13.3 Having regard to the information presented by the parties in the course of the planning application and my inspections of the appeal site, I consider the key planning issues relating to the assessment of this application can be considered under the following general headings:

- Principle / Policy Considerations
- Route Options
- Landscape & Visual Impact
- Environmental Impact Statement - Screening
- Likely Effects on the Environment & Alternatives
- Appropriate Assessment - Screening
- Other Issues:
 - a) Location of Western Interface
 - b) Architectural Heritage
 - c) Nature Conservation
 - d) Construction Impact and Management

- e) Legal Interest
- f) Irish Rail
- g) Aerodrome
- h) Flooding
- i) Irish Water
- j) Archeology
- k) Financial Provisions
- l) Community Gain

14.0 PRINCIPLE / POLICY CONSIDERATIONS

- 14.1 This project lies within the administrative area of South Dublin County Council. The current statutory development plan for the area is the South Dublin County Development Plan 2010-2016. As stated previously the Elected Members of South Dublin County Council officially adopted the South Dublin County Council Development Plan 2016–22 on the 16th May 2016. This new plan will become operational on June 12th 2016 and will be used in the determination of all planning applications from this date. Both plans are discussed below.
- 14.2 EirGrid has identified the need to reinforce the electricity network in the Grange Castle area of west Dublin, which is evolving as a major centre for high technology, power-dependent companies. It is stated that this new demand cannot be accommodated by the existing grid network, as it has reached its supply capacity. Therefore EirGrid plan to reinforce the electricity supply in the Grange Castle area of west Dublin, south of Adamstown, County Dublin through west Dublin 220/110 kilovolts (kV) substation and associated works project.
- 14.3 The new substation will serve major industrial customers by means of transforming the power entering the substation at 220 kV down to 110 kV, and then utilising multiple connections to a number of existing/permitted lower voltage distribution substations in the area, via 110 kV underground cable circuits. It is stated that these substations and associated cable circuits are being separately developed by ESB Networks, the Distribution System Operator (DSO). Five 110 kV circuits will be connected to the proposed substation; this comprises four existing or permitted 110 kV circuits, as well as a new 110 kV cable connection connecting to Corkagh substation, located within Grange Castle Business Park. This one 110 kV cable will be laid within the existing access road also proposed to provide vehicular access to the proposed West Dublin substation, as well the Baldonnell Road L2001-1 and an internal access road within Grange Castle Business Park. The cable connections, from the two interface compound sites to the proposed substation, will involve the laying of approximately 7.5 km of 220 kV cables. When energised the existing Inchicore-Maynooth 220 kV double-circuit overhead line will continue to operate, but now via the proposed substation.

14.4 Having regard to the South Dublin County Development Plan 2010-2016 the proposed project is in my view classed as a 'Public Services' use, defined as follows:

"A building or part thereof or land used for the provision of public services. Public services include all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers; it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste composting facilities".

14.5 This area of west Dublin incorporates a number of land uses including amenity, agriculture, residential and commercial/industrial uses. Current land zoning for the area is presented within the South Dublin County Council Development Plan 2010-2016. The proposed project is to be located on lands currently zoned as:

- Zone B – *To protect and improve rural amenity and to provide for the development of agriculture and where Public Services are Permitted in Principle*
- Zone EP2 – *To facilitate opportunities for Manufacturing Research and Development facilities, Light Industry and employment and enterprise related uses in Industrial areas and business parks and where Public Services are Permitted in Principle*
- Zone F – *To preserve and provide for open space and recreational amenities and where the Public Services are Open for Consideration*
- Zone A1 – *To provide for new residential communities in accordance with approved Area Plans and where Public Services are Permitted in Principle*
- Zone Clonburris SDZ – *Where Policy TDL16: Clonburris Strategic Development States that it is the policy of the Council that Clonburris shall be developed in accordance with the approved Clonburris Strategic Development Zone Planning Scheme and Local Area Plan (2008). This designation is discussed below.*

14.6 The type of development proposed in this application is not excluded from any designated land use zones present. I am satisfied that it has been demonstrated that the proposed substation will serve major industrial customers in this evolving high technology industrial area and the overall project will reinforce the electricity network, which will assist in achieving the strategic planning objectives in the immediate vicinity and the wider west Dublin area. Accordingly I am satisfied that the proposed development is acceptable in principle at this location under the South Dublin County Council Development Plan 2016-2022.

14.7 It is also noted that there are a number of Local Area Plans (LAP) and Strategic Development Zones (SDZ) in South County Dublin. The Clonburris SDZ and LAP

affects the site of proposed eastern interface compound however I agree with the applicant that it appears to avoid any restrictions arising from that LAP. The site is outside the Adamstown Strategic Development Zone Planning Scheme and is separated from it by the Dublin-Kildare-Cork railway line. The development is not expected to impinge on the Adamstown development or upon the adopted planning scheme.

14.8 I would also draw the Boards attention to the South Dublin County Council Development Plan 2016-2022 operational on June 12th 2016. As stated previously this new plan is only available in draft format (together with material variations) on the SDCC website. It is my understanding that the final plan will not be available until closer to when it is operational.

14.9 The definition for “Public Services” use is the same as that of the current 2010-2016 plan and similar to the extant plan incorporates a number of land use zonings for the scheme as follows:

- Substation Site - Zoning EE where the objective is to *provide for enterprise and employment related uses*. Public Service use is permitted in principle.
- Western Interface Compound – Zoning RU where the objective is to *protect and improve rural amenity and to provide for the development of agriculture*. Public Service use is permitted in principle.
- Eastern Interface Compound – Zoning RES-N where the objective is to *provide for new residential communities in accordance with approved planning schemes*. Public Service use is permitted in principle.
- Underground Cabling – Combination of Zoning EE (see above), Zoning RU (see above) together with Zoning OS where the objective is to *preserve and provide for open space and recreational amenities* and Zoning SDZ where the objective is to *provide for strategic development in accordance with approved planning schemes*. Public Service use is permitted in principle in areas zoned EE and RU and is open for consideration in areas zoned OS. The underground cables will be laid within the existing R136 road that traverses lands zoned SDZ.

14.10 Accordingly it would appear that this type of development is not excluded from any land use zones proposed in either the current development plan or the draft South Dublin County Council Development Plan 2016-2022. Having regard to the planning policy for the area as set out in both the South Dublin County Development Plan 2010-2016 and the draft South Dublin County Council Development Plan 2016 – 2022 (available to view on the SDCC website and operational from June 12th 2016) I am satisfied that the proposed development is acceptable in principle at this location under both development plans.

15.0 ROUTE OPTIONS

- 15.1 It is documented throughout the file that SDCC has received Part 8 Planning Approval for the upgrade of the Adamstown Road Improvement Scheme (R120) which extends south from the railway bridge at Adamstown for a distance of approximately 1.2 km in the townlands of Adamstown, Ballymakailly and Grange. It is also documented that SDCC has received Part 8 Planning Approval for the upgrade of the Nangor Road (R134) which involves the construction of approximately 1.7 km road realignment incorporating the Nangor Road (R134) and the Adamstown Road (R120) Regional Road and the construction of approximately 0.33 km of proposed road improvement on the Baldonnel Road.
- 15.2 As part of the West Dublin 220/110 kV Substation and Associated Works project, it is proposed to use these upgraded roads, as well as the existing R136, in which to lay the four No. proposed underground 220 kV cable routes between the proposed substation and the two separate interface compound sites. The proposed works are primarily located in public roads and agricultural land. The four No. 220 kV cable circuits will cross the Grand Canal either within the R136 and R120 roads (Cable Route Option A – preferred cable route) or within the R136 road and under the canal to the west of the R120 road using horizontal directional drilling (Cable Route Option B – alternative cable route).
- 15.3 The applicant notes that, while approved, the planned R120 and R134 road upgrades may not have occurred at the time of construction of the proposed development (assuming the proposed development obtains its own statutory consent). Therefore, while laying the 220 kV underground cables in the planned upgraded roads remains the preferred option, it has been considered prudent to explore alternative circuit route options. The alternative cable routes are located as close to these existing roads as possible, but outside the extent of the road upgrades.
- 15.4 There is no objection in principle to either option proposed although I would share the view of parties to the scheme that the preferred route is Option A (i.e. within the R136 and R120). In the interests of clarity it is recommended that should the Board be minded to grant permission that a condition be attached, requiring that the final route shall be notified to the planning authority prior to the commencement of any construction works on site.

16.0 LANDSCAPE & VISUAL IMPACT

- 16.1 A detailed Landscape and Visual Impact assessment is contained in Section 8 of the Planning and Environmental Issues Report. A site survey was carried out in November 2015 and identified the potential visibility of the proposed development within the study area, taking into account topography, existing screening vegetation

and other localised factors. The results are presented in Figure 8-1 of the report, indicating sections of public roads where there are open or intermittent views of the proposed development. It is stated that identified visual effects represent the 'worst case scenario' as they assess visibility during the winter months and that the magnitude of visual effects is often lower during periods of foliage.

- 16.2 As set out in the issues report and as noted during site inspections the study area comprises a mix of urban, suburban, peri-urban and rural areas. The topography is generally flat which allows for distant views towards the Dublin Mountains to the south, although in many locations, views are enclosed by hedgerows or buildings. Low density suburban housing defines the landscape character at Balgaddy to the north east with the public realm dominated by large scale road infrastructure. Adamstown to the northwest is a higher density residential development with a quality public realm, train station and areas of partly developed lands. The south eastern part of the study area is defined by existing and planned large scale industrial and business development with associated large scale road infrastructure. The remainder of the study area is rural, but undergoing incremental change as urban development is gradually occurring on previously agricultural lands throughout the study area. As reiterated throughout the issues report the Grand Canal is an important feature in the landscape, recognised as such with a number of designations, and included a number of built heritage features. The canal is lined on either side by broadleaf planting consisting predominately of holly and poplar stands. Grange Castle Golf Course is located within the study area. It is also noted that the current development plan contains a Landscape Character Assessment, which specifies Landscape Character Areas and strategies for the protection of specific landscape features.
- 16.3 I agree with the applicant and SDCC that the undergrounding of the overhead line (adjoining the rail line) between the two compound sites is a significant positive impact and mitigates the landscape effects of the proposed compounds. Further the location of the substation maximizes the distance to sensitive receptors. The establishment of a 3-5 m wide native tree screening band where feasible around the compounds and the substation will also have a positive impact on general landscape character, screening the new structures and contributing to tree cover in the wider landscape. The location of the substation maximises the distance to sensitive receptors.
- 16.4 Overall I agree with SDCC that Option A would largely have little visual impact aside from the removal of certain hedgerows alongside the R120 and R134 upgrades and that the industrially zoned lands along the remainder of the western section of Option B, would irrevocably change through future development of these lands. I also agree with SDCC that the same assessment applies to Options A and B within the lands around the proposed 220/110Kv substation which are zoned for industrial

development and would be in character with other large buildings permitted in the vicinity.

- 16.5 I note the concerns raised by SDCC with regard to external materials and notes that the cladding for the buildings within the substation is a standard material. Attention is drawn to the 110Kv substations at Corkagh and Barnakyle, permitted under SD14A/0194 and SD14A/0023 respectively, which required the provision of a higher quality architectural design and material finish due to the prominent locations of these buildings to the front sections of sites. It is considered that the proposed substation should be subject to the same design standards and that this should be agreed with the SDCC architects section. I agree that the colour and detailed design of the proposed building and fencing structures should be carefully selected to minimise visibility under the site conditions. It is recommended that this matter is dealt with by way of condition for agreement with SDCC.
- 16.6 Concern is raised by the SDCC Urban Design Officer that it would be ideal if the westernmost transmission station could be relocated a bit more to the west of the site than proposed in order to visually screen the proposals from the previously granted high density development already granted in the “town centre” area of Adamstown. SDCC stated that while the visibility of the compound is mitigated somewhat through the presence of a large agricultural over bridge and the severance of the railway, it is however likely that the largest proportion of tall buildings would be located on this part of the SDZ site, thereby exacerbating the impact. It is recommended that locating the compound at the position of the next pylon to the west would provide a more appropriate separation distance from the District Centre. While I note the visual impact concerns raised it remains that this is an area where different zonings meet and where there may be an element of incompatibility particularly in terms of structural responses at the interface. It remains that this is an area in transition and that the benefits of the undergrounding of cabling in my view outweigh any negative perception of the proposed western compound.
- 16.7 With regard to the eastern compound I agree with the SDCC that the assessment of the significance of the impact is underestimated. The removal of the powerline will have significant visual benefits, however the location of the eastern compound site is at a large, wide junction of the Outer Ring Road and two large roads serving Adamstown and North Clondalkin. The SDCC Urban Designers report recommends that the details for providing mitigation in the form of semi-solid screening and revised planting to the Eastern Interface Compound reflecting the future urban location of the site at a prominent junction within Clonburris SDZ be submitted and agreed with the planning authority, prior to the commencement of development. I support this recommendation.

16.8 I also note that the SDCC Parks Department have a strong preference for Option A to be implemented over Option B and that in the event that planning permission is granted for this development recommend that a condition be attached requiring the submission of a revised Landscape Plan detailing remediation / mitigation for disturbance to existing ground, trees, hedgerows and watercourses and the protection of existing trees, hedgerows and other features to be retained and that the lodgement of proposals regarding the treatment of the area of streams and watercourses that are to be affected by the development. It is recommended that the developer should liaise with Inland Fisheries Ireland and the Water and Drainage Section of SDCC for agreement, prior to lodging proposal for compliance. I support this recommendation.

17.0 ENVIRONMENTAL IMPACT STATEMENT - SCREENING

17.1 An Environmental Impact Statement (EIS) is required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2011 which exceeds a limit, quantity or threshold set for that class of development. An EIS will also be required by the planning authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103).

17.2 Having regard to the nature and scale of the proposed development I consider the relevant classes from Schedule 5 are Part 1 Class 20; Part 1 Class 22; Part 2 Class 3(b); Part 2 Class 13(a); Part 2 Class 13(c), Part 2 Class 14 and Part 2 Class 15. These are examined below.

17.3 Part 1 Class 20 - *Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometers.* The proposal does not entail the construction of any overhead power lines. Even with a very broad interpretation of this class of development the length of line proposed to be removed is less than 15km threshold. I am satisfied that the proposal would not require EIA under this class.

17.4 Part 1 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.* Whilst the scheme involves the removal of a section of overhead power lines, the length to be removed is less than the 15km threshold. I am satisfied that the proposal would not require EIA under this class.

17.5 Part 2 Class 3(b) - *Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more.* The scheme does not propose the transmission of

electrical energy by overhead cables. I am satisfied that the proposal would not require EIA under this class.

- 17.6 Part 2 Class 13(a) - *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.* Whilst the scheme will effectively extend the power line to the new substation it will be extended underground which would not result in it being of a class requiring EIA. Therefore EIA would not be required under subsection (i) above. Further the existing permitted power line will be reduced in length and so would not qualify under subsection (ii) above. I am satisfied that the proposal would not require EIA under this class.
- 17.7 Part 2 Class 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 the scheme involves the removal of a section of overhead power lines and associated pylons that of themselves in their entirety may be a class requiring EIA (Part 1 Class 20 refers) any change even the demolition of a short section may be considered to qualify under this class if would be likely to have significant effects on the environment e.g. visual impact (positive or otherwise). This is discussed further in respect of the criteria set out in Schedule 7 below.
- 17.8 Part 2 Class 14 - *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 product of demolition in this instance i.e. proposed interface compound, undergrounding of cabling and substation) are not a type requiring EIA under Part 1 or 2. I am satisfied that the proposal would not require EIA under this class.
- 17.9 Part 2 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.* As in the case of Part 2 Class 14 above the scheme is not of a type requiring EIA under Part 1 or 2 regardless of threshold. I am satisfied that the proposal would not require EIA under this class.

- 17.10 As noted above Schedule 5 Part 2 Class 13(c) may or may not be a trigger for EIA depending on whether the development *would be likely to have significant effects on the environment*. In this regard the Board is referred to Schedule 7 of the Planning and Development Regulations, as amended, which sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment. In this case it is the demolition of the existing pylons and overhead power lines that the Board is confined to considering.
- 17.11 The removal of a section of the existing pylons and overhead power lines at a location adjoining Adamstown SDZ will have certain positive impacts. The nature and scale of the demolition in this urban landscape is limited and while there will be short term impacts during the demolition phase these would not in my view be of a nature, scale or duration that would be considered significant in the long term. Further the positive visual impact associated with these demolition works is not considered significant given the scale and context of the works. I am satisfied that the proposal would not require EIA under this class.
- 17.12 It is considered that the proposed development does not come within the scope of the classes of development requiring the submission of an EIS as set out in Schedule 5 of the Planning and Development Regulations 2001-2011.

18.0 LIKELY EFFECTS ON THE ENVIRONMENT AND ALTERNATIVES

- 18.1 Having regard to the contents of the Planning and Environmental Considerations Report and also having regard to, *inter alia*, observations by the undersigned made on the day of the site inspection, the submissions on file from the observers, the submissions from the prescribed authorities and the submissions from the planning authority, I am satisfied that there is sufficient information on file to assess the likely effects on the environment of the proposed development.
- 18.2 The environmental criteria discussed within the Planning and Environmental Considerations Report are Human Beings, Material Assets, Landscape & Visual Impact, Biodiversity (flora and fauna), Soils and Contaminated Land, Water, Cultural Heritage, Dust, Noise and Vibration, and Traffic and Transport. I have considered the applicant's mitigation proposals in relation to these potential impacts and would consider them reasonable and satisfactory. I am also satisfied that the likely impacts arising from the project and from other projects in the vicinity have been adequately identified and addressed in this report and its supporting appendices.
- 18.3 In relation to the alternative options considered the report states that three feasible transmission reinforcement options were considered by EirGrid for the West Dublin 220/110 kV Substation and Associated Works project. During Stage 1 of the West Dublin 220/110 kV Substation and Associated Works project, 11 feasible substation sites (referred to as Sites A-K) were identified along with five feasible interface

compound sites (referred to as T1- T5). During Stage 1 a number of criteria were developed to appraise each of the site options. These criteria were chosen to best represent the identified constraints within the study area while also considering the technical requirements of the project. During Stage 1, three feasible substation sites were identified as '*emerging preferred sites*', known as Sites C, D and E, for the development of the proposed substation. During Stage 2, the three emerging preferred substation sites and five interface compound sites were evaluated further. Following the consideration of feedback received from Stage 1 and the Stage 2 evaluation, substation Site D and interface compound sites T1 (western) and T5 (eastern) were identified as the preferred sites for the project.

18.4 Having regard to the information provided, it is clear that the site selection process and route selection have each included a rigorous approach incorporating an analysis of alternatives with public consultation at every stage of the project. Thus the final selections have been arrived at following a comprehensive and transparent process which has involved consultation with relevant stakeholders, prescribed bodies and potentially affected landholders and has evolved throughout this process by the application of a flexible approach incorporating the optimum solutions based on a rigorous analysis of the options available. I am satisfied therefore that the process has been robust and has included an appropriate analysis of alternatives.

19.0 APPROPRIATE ASSESSMENT - SCREENING

19.1 It is noted that the application was accompanied by a screening statement for Appropriate Assessment and is available to view within the body of the Planning and Environmental Considerations Report.

19.2 There is no European Sites (Natura 2000 sites) comprising of SAC's or SPAs within the proposed development area. The Grand Canal proposed Natural Heritage Area (pNHA) and associated linear habits are the most ecologically valuable features in the area. This feature crosses the northern half of the proposed development area in a west - east direction. Both Cable Route Corridor Options A (preferred cable route) and B (alternative cable route) cross the Grand Canal. As indicated previously the preferred route would be confined to existing/upgraded roadways while the alternative route would require horizontal directional drilling under the canal

19.2 As documented in the Planning and Environmental Considerations Report there are four European Sites within 15 km of the proposed development area or linked to the area via the River Liffey and two additional sites which are just outside of this 15km zone, but connected via surface waters. Direct impacts will not occur to any European Site as the site area is outside any European Site designation. Therefore the key issue to be considered is the likelihood of indirect effects such as any sediment run-off or pollutants, or invasive species, entering watercourses in the

study area and reaching designated sites. The European sites of relevance to this scheme are as follows:

- (1) Rye Water Valley/ Carton SAC (Site Code 1398) – This SAC is upstream of any linkages with the River Liffey and the proposed development area and therefore there is no likelihood of significant effects to the site from the proposed development.
- (2) Glenasmole Valley SAC (Site Code 1209) – This is hydrologically separate from the study area (River Dodder catchment) and approximately 7 km from the proposed development area at its nearest point. Therefore there is no likelihood of significant effects to the site from the proposed development.
- (3) Wicklow Mountains SAC (Site Code 2122) – This is hydrologically separate from the study area with the sections of the SAC closest to the study area being in the River Dodder catchment. It is approximately 9 km from the proposed development area at its nearest point. Therefore there is no likelihood of significant effects to the site from the proposed development.
- (4) Wicklow Mountains SPA (Sire Code 4040) – This is approximately 13 km from the study area at its nearest point. Typical foraging distance for Merlin is within 5km and so this species is unlikely to forage in the proposed development area. The core foraging distance for peregrine is 2 km, with a maximum distance of 16 km and so there is potential for this species to forage in the proposed development area. However according to the Planning and Environmental Considerations Report that there are plenty of better quality foraging habitat available nearer the SPA and it is unlikely that peregrine associated with the SPA would travel 13km to the proposed development area. Therefore there is no likelihood of significant effects to the site from the proposed development.
- (5) South Dublin Bay & River Tolka Estuary SPA (Site Code 4024) – The watercourses in the proposed development area are tributaries of the River Liffey which flows eastwards into Dublin Bay. The Grand Canal also enters the River Liffey at Grand Canal Dock which then enters Dublin Bay. This SPA is located to the north and south of the main channel of the Liffey in Dublin Bay although only the northern section would be directly linked due to the presence of the sea wall to the south. If pollutants, or invasive species, were to enter the Liffey system from construction stage works they could potentially reach the designated site. Significant effects on the SPA from the proposed development are not considered likely however due to the distance involved and according to the Planning and Environmental Considerations Report best practice sediment and pollution control measures will form an integral part of

the development. Further stated that these measures will also be monitored by an ecologist to ensure effectiveness.

(6) South Dublin Bay SAC (Site Code 0210) – The watercourses in the proposed development area and the Grand Canal ultimately enter Dublin Bay via the River Liffey. While this SAC is located to the south of the southern seawall, seawater circulation patterns could potentially carry waters from the River Liffey into this SAC. If pollutants, or invasive species, were to enter the Liffey system from construction stage works they could potentially reach the designated site. Significant effects on the SAC from the proposed development are not considered likely however due to the distance involved and according to the Planning and Environmental Considerations Report best practice sediment and pollution control measures will form an integral part of the development. Further stated that these measures will also be monitored by an ecologist to ensure effectiveness

19.3 The proposed works under investigation for the West Dublin 220/110 kV substation and associated works project are not within or adjacent to any European Site. The Planning and Environmental Considerations Report states that there will be no loss or fragmentation of any Annex I habitat or Annex II species, which are qualifying species of relevant European Sites, as a result of the proposed development and that there will be no disturbance to Annex II species which are qualifying species of relevant European Sites. Overall I am satisfied based on the best available scientific information, that there will be no significant direct or indirect impacts to the conservation objectives of the habitats or species of the listed European Sites either alone or in combination with other plans or projects, as a result of the proposed development.

19.5 It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the following European sites: Rye Water Valley/ Carton SAC (Site Code 1398); Glenasmole Valley SAC (Site Code 1209); Wicklow Mountains SAC (Site Code 2122); Wicklow Mountains SPA (Site Code 4040); South Dublin Bay & River Tolka Estuary SPA (Site Code 4024) and South Dublin Bay SAC (Site Code 0210) or any other European site, in view of the conservation objectives of these sites, , and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.'

20.0 OTHER ISSUES

20.1 **Location of Western Interface** - Ted and Henry Crowley whose lands lies immediately south of Adamstown SDZ and is separated by the railway line raise concerns regarding the location of western interface compound and adjacent tower

to be positioned at the outer extremity of the SDZ lands and in proximity to the north / south road pattern adjacent to the existing angular tower. This would facilitate the enhancement of future residential and visual amenities and provide for the maximum development potential of valuable and finite land resources. Further the southern ramp to the railway bridge turns at 90 degrees in an easterly direction. This ramp is temporary (so as to reduce impact on the working farm) and it is proposed that it will be constructed in a southerly direction and aligned with the northern ramp in due course. It is submitted that the position of the proposed interface and tower would therefore prejudice the achievement of this objective. Should the Board be minded to grant permission it is requested that the interface and tower be moved well away from the bridge and in close proximity to the railway line. It is also noted that the response from SDCC Urban Design Officer recommends the relocation of the western interface compound further west to minimise visual impacts from further sub-urban developments at Adamstown.

- 20.2 The applicant states that moving further west was considered by the project team. It was noted that this option would require a considerably greater length of underground cable, requiring more land for cable laying and access routes; it would be further away from the project demand and the new substation site; it would also be further away from the R120 road and would also involve four more land folios. As a result this option was deemed more constrained than the proposal before the Board.
- 20.3 As indicated previously these lands are zoned "RU" in the SDCC Development Plan 2016 – 2022 where the objective *is to protect and improve rural amenity and to provide for the development of Agriculture*. It is further evident that these lands are not part of the Adamstown SDZ. Neither are they zoned for development within the life of the 2016 – 2022 plan or in the longer-term. The lands to the north in Adamstown SDZ, Clonburris SDZ and the lands of Grange Castle, Profile Park, and other undeveloped lands to the west of the emerging business and commercial areas are all zoned for development.
- 20.4 Section 1.5.3 Housing Growth Projections of the 2016 – 2022 plan states that it is unlikely that the remaining Regional Planning Guidelines (RPG) housing allocation for South Dublin from January 2015 to the end of 2022 will be achieved and that a further deferral of the 2010-2016 completions to 2028 is considered more likely, due to economic, market and demographic factors that are outside the control of the Planning Authority. However section 1.6.4 Housing Capacity Summary states that capacity has been identified for further residential units, through sustainable intensification; development on brownfield sites; on a number of smaller infill sites and on LAP and SDZ sites and that the zoning objective of a number of sites has been amended to support development to ensure that the RPG allocation can be achieved, should economic, market and demographic factors warrant this level of output. It would appear that the South Dublin County Council Development Plan

2010-2016 has adequate lands zoned in South Dublin County Councils' area to accommodate future housing needs as set out in the Regional Planning Guidelines for the Greater Dublin Area 2010-2022.

20.5 Overall it is evident that there is sufficient capacity and wide distribution of zoned land around the County to meet housing demand to accommodate future population requirements. Therefore future residential requirements in the area of the western interface compound on lands zoned RU" in the SDCC Development Plan 2016 – 2022 is not likely. On balance it is considered that the proposed location for the western compound is acceptable and that it is unlikely to prejudice future residential development in the foreseeable future.

20.6 With regard to the access route the applicant submits that ESB requires this access route to be marked but does not require a high quality surface. However, a cable access route to the western interface compound can be developed to a high quality standard suitable for future access to the lands if so required. In the absence of such requirement, however, precise details (e.g. details of road side kerbs, road gullies etc) for the access route have not been prepared. EirGrid state that they will continue to consult with the Observers regarding details of the access route, and are happy to accept any condition of approval which requires access road details to be agreed with the Planning Authority and/or the landowner. I agree with this approach.

20.7 Architectural Heritage - There are no designated ACA's within the project area. The South Dublin County Development Plan Record of Protected Structures lists three Protected Structures within 150 m of the proposed project. All of these are related to the Grand Canal as follows:

- 12th Lock Grand Canal, Ballymakailly - Stone Two Storey Industrial Building (10 m from project)
- Lock House, 12th Lock Grand Canal, Ballymakailly - Victorian Style House (30 m from project)
- Leck Bridge, 12th Lock Grand Canal, Ballymakailly - Bridge With Stone Capping (0 m from project)

20.8 Having regard to the information available with the application together with proposed mitigation measures I agree with SDCC that the structures would not be adversely affected by the proposal with the exception of Leck's Bridge (RPS 127) which crosses the Grand Canal at the 12th Lock. The applicant is proposing to provide for the canal within the upgraded deck of the bridge as approved under the Part 8 process. I am satisfied that that this will not affect the other sections of the bridge.

20.9 Nature Conservation - The NPWS have examined Section 9 Biodiversity (Flora and Fauna) of the Planning and Environmental Considerations Main Report raised concerns that both options required the laying of the double cables adjacent to two ponds bordered by woodland located at the north western corner of the grounds of Lucan Sarsfield club and that in case of Option A it is intended to actually run the cables between the ponds. Given the character of the ponds and their bordering woodland the NPWS considered that there was a high probability that smooth newts would occur there. The NPWS while strongly supporting the construction of the 220Kv power lines to the 220/110Kv substation from the western interface compound along the preferred Option A route as likely overall to have less ecological impact than their construction along the Option B route, considered these power lines should not be laid between the two ponds. Rather it was recommended that the sections of the 220Kv lines to be laid in the vicinity of the two ponds should be routed around and to the west of the more westerly pond along what is part of the Option B route irrespective of whichever option is finally selected for the rest of the lengths of these power lines.

20.10 Given the recommendations of the NPWS, EirGrid has identified a minor revision to the preferred cable route (Cable Route Corridor Option A) in this area for the consideration of the Board. This minor revision is shown on Figures 1 and 2 (contained in Appendix 1 of their submission), and involves the 220 kV cables running to the west of the woodland habitat – essentially in the corridor identified for alternative Cable Route Corridor Option B, with some provision made for an adequate cable bend radius -, and along the entire length of the existing private laneway adjacent to Lucan Sarsfields GAA club. This modified route option would therefore not run through the woodland habitat, including the pond area.

20.11 Eirgrid state that access for environmental surveys was not facilitated for the area of lands that include the western interface compound site and access route. As a consequence, no smooth newt survey was conducted in the pond area. A survey for otter was undertaken as part of the ecological assessment by qualified Ecologists. Signs of otter were only noted at the Grand Canal as detailed in Chapter 9 of the Planning and Environmental Considerations Report. Otter were not noted along the River Griffeen and its tributaries during the ecological assessment. Prior to any works, EirGrid state that they will employ a qualified Ecologist who will carry out an otter survey. This will include looking for evidence of the presence of otter for a 100m upstream and downstream of crossing points along the Griffeen River or any of its tributaries. The results of this otter survey will be provided to the NPWS.

20.12 I am satisfied that this revision to the proposed cable route would not result in significant or adverse effects on the environment. In line with the recommendation of the NPWS it is recommended that should the Board be minded to grant permission that the following condition be attached:

Where power lines are to be laid across the Griffeen River or any of its tributaries as part of this proposed development, surveys to be carried out for evidence of the presence of otters for a 100m up and downstream of the crossing points and submitted to the NPWS. If any breeding or resting places of otters, namely holts or couches, are discovered within the construction corridors of the power lines, licences from the Habitat Directive and interference with these places to be applied for to NPWS before any work on this project is undertaken.

Reason: to conserve a species of high conservation importance afforded a regime of special protection under the European Habitats Directive 92/43/EEC as transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations 2011.

20.13 Construction Impact and Management - Chapter 16 of the Planning and Environmental Considerations Report details the construction and demolition works proposed for this project. It is submitted that a detailed Construction Environmental Management Plan (CEMP), a Traffic Management Plan and a Waste Management Plan will be implemented to mitigate against undue impacts. While the proposed development works have potential to disrupt existing utility services in the area causing an inconvenience to residential and commercial premises, no impacts are predicted once the project is operational

20.14 The mitigation measures detailed below are proposed to reduce or eliminate potential impacts from both cable route corridor options to existing material assets.

- a separation distance of approximately 10 m will be kept from the edge of the railway line to the edge of the 220 kV cable route;
- construction of the proposed development will be carried out while adhering to the requirements advised and agreed with Waterways Ireland with regards to crossing the Grand Canal;
- the laying of the 220 kV cables will be carried out by contractors under the supervision of the relevant utility company where appropriate to ensure conformity to technical specifications and standards as well as to minimise disruption to service;
- consultation will take place with Lucan Sarsfields GAA Club to ensure any disturbance from construction works is minimised, limiting impact to the daily activities at the club facility;
- existing wayleaves will be used where possible to access the existing tower structures which are to be removed;

- if disruption works are planned, local residents and businesses will be forewarned of disruptions using signage in public places and other appropriate media; and
- when disruption is unplanned, the disrupted service will be repaired as soon as practically possible.

20.15 Environmental Services Department - Waste Management SDCC requests the attachment of conditions relating to construction and demolition waste management. It is the view of the Roads Section SDCC that having assessed the information submitted as part of this application, and which largely relates to works to proposed and existing roads, there are insufficient details with respect to potential impacts on traffic, traffic management and programme of works.

20.16 Notwithstanding the contents of this report, I agree with the SDCC Planning Report that the benefits of the proposed project are significant and that the negative impact on traffic would be temporary in nature, while the visual benefit of removing the overhead lines would be permanent. During the construction phase (including demolition works to remove a section of the existing 220 kV overhead line) the proposed development will likely cause impacts to local traffic flow and therefore impact on local residents and businesses. Potential temporary nuisance to the local population during project works may occur particularly in terms of noise and traffic. I am satisfied that the matters raised in the Roads report could be utilised as conditions in the event of a grant of planning permission. These are:

- Provision of cross sections of the ducting every 500m for each section of road for option A or B
- A programme of works for each section of road for options A or B
- A detailed construction and traffic management plan for each section of road for options A or B
- The contractor should be required to ensure that a live carriageway should be open in both directions 7am to 7pm Monday to Friday
- A Clerk of Works should be employed by EirGrid who will report to SDCC and who will be responsible for the overall works, traffic management and health and safety.

20.17 Legal Interest - As part of their submission, Eirgrid indicate that it will be necessary to acquire an 8 metre wide way leave over lands out with the public road way i.e. Route Option B. Part of this land extends over Marie Crosbie's property who states that EirGrid have no right to make any application in respect of lands over which they

have no control. Reference is made to *Frascati Estates Ltd vs Walker*. It is submitted that EirGrid cannot as a matter of law acquire any right or interest in these lands as EirGrid have not been conferred with any such power and that the only entity with power to acquire an interest in land under the Electricity Supply Acts is the Electricity Supply Board. They are not a party to this application and therefore the application cannot ever acquire an interest in these lands and should not therefore be further facilitated in the making of this application.

20.18 The applicant states that if Cable Route Option A is progressed, the 220 kV cables will be placed within the R120 road upgrade for which SDCC has received Part 8 approval and that EirGrid does not impact on Ms. Crosbie's land under this option.

20.19 I would draw the Boards attention to a previous Strategic infrastructure Development application PL11.VA0015 where a similar issue was addressed. This previous application related to the Laois – Kilkenny electricity reinforcement project consisting of interrelated units and was granted permission in 2014. In their report the Senior Planning Inspector noted that *under Article 18 of the Regulations of 2000, EirGrid entered into "the Infrastructure Agreement" with ESB. This provides that "all activities connected with seeking and obtaining planning permission (if needed) and any other consents required by the Transmissions System Operator to discharges transmission obligations shall be the sole responsibility of the Transmissions Systems Operator"*. Accordingly, the Inspector concluded that *EirGrid, as the applicant for planning approval, is clearly carrying out its statutory development functions and that it has sufficient interest in the application which cannot be considered frivolous or vexatious.*

20.20 Having considered the information available on file together with the previous decision by the Board as set out above I am not satisfied that the objector in this case has demonstrated that the applicant does not have sufficient interest to carry out the works pertaining to route option B.

20.21 Irish Rail - As documented previously the Dublin–Kildare-Cork railway line lies to the north of the proposed western interface compound site and to the south of the proposed eastern interface compound site. This railway line is to be crossed by two No. 220 kV cables in the east, connecting the eastern interface compound site with the proposed substation, using cable ducts already present within the R136 road. Once the 220 kV line between the terminal compounds is decommissioned the overhead cables will be removed at a suitable time.

20.22 It is stated that consultation has been undertaken with Irish Rail regarding the design of the project and that the project infrastructure has been designed to eliminate any potential for impact during both construction and operational phases to the Dublin-Kildare-Cork railway line. Irish Rail have requested a separation distance of approximately 10m from the edge of the railway line to the edge of the cable. This

has dictated the location of the circuit route adjacent to the rail line as now proposed and has also been incorporated into the design of the wayleave and access route to the western compound. It is further stated that the project infrastructure has been designed to eliminate any potential for impact during both construction and operational phases to the Dublin-Kildare-Cork railway line and that the methodology and timing of the removal of sections crossing the railway will be agreed with Irish Rail in advance.

20.23 The application has been referred to both the Railway Safety Commission and Iarnród Éireann. No response is recorded on the file. However it is noted that prior to formal public consultation the project team consulted with Iarnród Éireann. In a letter dated 30th March 2015 to the applicant Iarnród Éireann state that they have completed the four tracking of the Cork Mainline from Hazelhatch to Park West in 2009 and that it is proposed to electrify the railway line in the future under the DART Expansion programme. It is further stated that Iarnród Éireann welcomes EirGrid intension to strengthen the electricity network in West Dublin for new and future demands.

20.24 Having regard to proximity of the project to the Dublin–Kildare-Cork railway line and the stated requirements of Irish Rail it is recommended that in the interests of safety that a suitably worded condition be attached requiring the developer to consult with Irish Rail prior to commencement of any works on site.

20.25 Aerodrome - Section 7.3.5 of the Planning and Environmental Considerations Report states that two aerodromes were considered in the assessment of this project. Casement Aerodrome, Baldonnel, is located to the south of the proposed development area. This is a military aerodrome. The Department of Defense Inner Zone limit at this aerodrome expands further than the aerodrome landholding and includes building height restrictions. Weston Aerodrome is located outside the project study area however its Inner Horizontal Zone and Conical Zone overlap with part of the project study area. Essentially this results in variable restrictions on the height of buildings, overhead lines or structures depending on the exact location within these areas. It is stated that the proposed development will have no impacts on neighbouring aerodromes or their air spaces.

20.26 The application was referred to the Department of Defense and the Irish Aviation Authority. No response is recorded on the file. Schedule 4 (Casement Aerodrome, Baldonnel) and Schedule 5 (Weston Aerodrome, Lucan) of the SDCC Development Plan 2010 – 2016 refers. It is noted that prior to formal public consultation the project team consulted with key stakeholders including the Department of Defence. The Department of Defence advised the applicant by email on 10th March 2015 that it has no objection to the proposed project. Their submission advised that, having consulted with the Air Corps, any planning application should comply with the

restrictions as detailed in Schedule 4 (Casement Aerodrome, Baldonnel) of the SDCC Development Plan 2010 – 2016.

20.27 I have considered Schedule 4 of the current Development Plan and note that it is a *general policy and objective to do everything possible to ensure the safety of military air traffic, present and future, throughout the State and in particular, air traffic at and en route to and from Casement Aerodrome*. The achievement of this policy and objective necessitates, inter alia, some restrictions on building developments in the environs of the aerodrome. I have considered the restrictions set out in the Schedule and I am satisfied that it is unlikely that the scheme proposed by reason of scale, use and location will have any negative impact on the neighbouring aerodrome or associated air space. Accordingly I do not consider it necessary to attach a condition requiring compliance with Schedule 4 in this instance.

20.28 Flooding - The Department of Environment, Heritage and Local Government and the Office of Public Works (OPW) issued “The Planning System and Flood Risk Management – Guidelines for Planning Authorities and Technical Appendices” in November 2009. The proposed project is classified as a “Highly Vulnerable Development” whereby the Justification Test should be applied if it is located in Flood Zone A or B.

20.29 A Flood Risk Assessment (FRA) Report was submitted with the application. A Stage 2 initial flood risk assessment was carried out in accordance with the Planning System and Flood Risk Management (PSFRM) Guidelines. The potential sources of flood risk were reviewed using mapping produced by the Eastern Catchment Flood Risk Assessment and Management (CFRAM) Study. The outcomes of the flood risk assessment for each element of the proposed works are described as follows:

- **Substation Site** - The location and layout of the proposed development will be outside of Flood Zone A and B as estimated by the Draft Flood Hazard Maps produced as part of the Eastern CFRAM Study.
- **Interface Compound Site T1** - The Eastern CFRAM Study flood maps do not identify any flood zones within the proposed site.
- **Interface Compound Site T5** - The Eastern CFRAM Study flood maps do not identify any flood zones within the proposed site. The PFRA map identifies a pluvial flood risk area to the south east of the proposed site.
- **Underground cables from Interface Compounds to Substation (Option A & B)** - The review identified that there were some areas along each corridor which experience fluvial and pluvial flooding. The most notable fluvial flood zones along the corridors, based on the available mapping, are located in the vicinity of Clutterland, adjacent to the Griffeen River. It is stated that there

does not appear to be any discernible difference between either Cable Route Corridor Option A or B in relation to flood risk.

- **Underground cables from Substation to Corkagh Station** -The Eastern CFRAM Study Draft Flood Hazard Maps show Flood Zones along this underground cable route.
- **Removal of Overhead Line** - The Eastern CFRAM Study Draft Flood Hazard Maps show Flood Zones along this overhead line route. The proposed works along this route include the removal of the overhead line and steel lattice towers. It will not involve the construction of any permanent works which may affect flood risk.

20.30 It is evident that the underground cables will be located in Flood Zone A and B at some locations. Therefore, the application of the Justification Test is required. It is submitted that this type of development is not excluded from any land use zones designated for the project area in the South Dublin County Council Development Plan 2010-2016; the proposed substation will serve major industrial customers in this evolving high technology industrial area and the proposed project shall reinforce the electricity network, which will assist in achieving strategic planning objectives in the immediate vicinity and the wider west Dublin area. Further the proposed cables shall be located below ground and there will be no longer over ground permanent works along the cable routes which might affect conveyance or floodplain storage. Referring to the justification test criteria, it is stated that it is not predicted that the proposed development will increase flood risk elsewhere in the catchment. The FRA effectively screens out flood risk as an issue due to the underground nature of the cables.

20.31 Having regard to the information available together with mitigation proposals I am satisfied that there will be no negative impact in the wider area in terms of flooding as a direct result of the proposed development.

20.32 Irish Water - Irish Water does not have any objection to the proposal in principle. Irish Water intends constructing a major watermain in this area along the R120 as part of the Leixlip Saggart Scheme which may conflict with any proposed underground connections. The delivery of this scheme is at an advanced stage and Irish Waters preferred route is currently being finalised. Irish Water requests the attachment of a condition requiring EirGrid to consult with Irish Water to agree details in relation to this proposed strategic watermain. It is recommended that such a condition is attached with a caveat that details area greed with SDCC in consultation with Irish Water in the event of a grant of permission.

20.33 Archeology - According to the Planning and Environmental Considerations Report the study area has a rich and varied archaeological and historical past with multi

period monuments ranging from humble sites of local interest to large complexes of national significance. Since the submission of the planning application, EirGrid's archaeological consultant Moore Group has carried out archaeological testing (between the 22nd and 24th of February 2016) at the proposed substation site and at the eastern interface compound (access was not facilitated for the western interface compound site). An Archaeological Testing Report was produced and recommends that a programme of archaeological monitoring be carried by a suitably qualified archaeologist during topsoil stripping for the project works. This is consistent with the mitigation measures already submitted in Chapter 12 of the Planning and Environmental Considerations Report and the recommendations of the Department of Arts, Heritage and Gaeltacht (dated 22nd February 2016). It is recommended that such a condition is attached in the event of a grant of permission.

20.34 Financial Provisions - The Act specifically provides for S.48 and S.49 development contributions in respect of decisions under S.37E, however, there is no such provision in respect of applications for approval under S.182B. As such, I consider that the application of the development contribution scheme would be inappropriate in this instance. I note also that the omission of such development contributions would be consistent with previous Board decisions in respect of similar applications.

20.35 However the Roads Section of SDCC highlight issues regarding the significant level of works to existing roads infrastructure within the SDCC area, notably to the R134 and the R136. It is in this context that SDCC recommended that a special contribution should be applied in the amount of €2,000,000 based on the requirement to complete satisfactory full reinstatement of all public infrastructures. Conversely SDCC in setting out conditions to be attached to a grant of permission requested *lodgement of a bond of €2,000,000 for the effective completion of works to to the public roads and the subsequent full reinstatement of such roads and all other public infrastructure*. The applicant notes the request "*for the provision of a security bond in respect of works to roads*". The applicant has not queried the amount recommended to be applied by SDCC in this instance and states that a matter for the discretion of the Board, and that EirGrid will comply with any such conditions. It is also worth noting that there is precedence for the attachment of a bond conditions to Strategic Infrastructure Schemes; 08.VA0012, 25.VA0013 and 07.VA0016 refers. On balance I do not consider that a condition requiring the provision of a bond in this instance would be unreasonable. Accordingly should the Board be minded to grant permission it is recommended that a bond condition be applied pursuant to S182B(b) of the Planning and development Act)as amended).

20.36 Community Gain Conditions - SDCC consider that the "community gain" as provided by the proposal is sufficient and the planning authority does not recommend any "community gain" conditions. I agree with this recommendation.

21.0 CONCLUSION & RECOMMENDATION

21.1 In conclusion:

- The proposal, constitutes a strategic infrastructural development that accords with and will advance national, regional and local policies and objectives in terms of energy provision and security of supply and the advancement and development of the this area
- Eirgrid has demonstrated the need to reinforce the electricity network in the Grange Castle area of west Dublin, which is evolving as a major centre for high technology, power dependent companies.
- There has been a comprehensive and robust assessment of the alternatives in terms of both route selection and transmission infrastructure and that the alignment options, the subject of this application, provides for routes which would limit the impacts on the environment.
- The alignment does not traverse or abut landscapes designated as being of scenic importance and whilst the western and eastern interface compounds and associated gantries will have some visual impact, it is also considered that the carrying capacity of the receiving environment, which is considered robust with significant evidence of human intervention, is more than sufficient to absorb the proposal without significant adverse effect.
- The line would not impact on any known archaeological site and appropriate pretesting and monitoring should ensure against any adverse impacts. The proposal would have no impact on any demesne landscape in the vicinity.
- The line does not traverse nor is adjacent to any site designated as being of ecological importance.
- It is concluded that based on the information available the proposed development either individually or in combination with other plans and projects would not be likely to have a significant effect on any European site having regard to the conservation objectives of those sites
- It is considered that the need for the proposed development has been demonstrated
- I am satisfied that there is sufficient information on file to assess the likely effects on the environment of the proposed development

- Subject to the implementation of the mitigation measures set out in the applicant's planning and environmental considerations report I am satisfied that there will not be a likely significant adverse impact on the receiving environment

21.2 Having regard to the foregoing and It is recommended that the Board approve the proposed development under Section 182B of the Planning and Development Act 2000 as amended in accordance with the said plans and particulars lodged for the following reasons and considerations subject to conditions.

22.0 REASONS AND CONSIDERATIONS

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

- a) the provisions of the National Development Plan 2007-2013,
- b) the provisions of the National Spatial Strategy for Ireland 2002 – 2020 which seeks to strengthen electricity networks in the region;
- c) the provisions of the Government White Paper 'Delivering a Sustainable Energy Future for Ireland - the Energy Policy Framework, 2007-2020',
- d) the 'Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure' issued by the Department of Communications, Energy and Natural Resources in July 2012,
- e) the provisions of the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022;
- f) the provisions of the South Dublin County Council Development Plan 2010-2016 including the zoning provisions relating to the site
- g) the Adamstown and Clonburrish SDZ including associated Local Area Plan(s) (LAP)
- h) the regional importance of, and demonstrated need for, the proposed development,
- i) the nature of the landscape and the absence of any specific conservation or amenity designation for the site,
- j) the pattern of development in the area including the proximity to an existing industrial estate development and the separation distance of the site from existing dwellings,

- k) the submissions on file including those from prescribed bodies and the Planning Authority
- l) the documentation submitted with the application, including the Appropriate Assessment Screening Statement and the Planning and Environmental Report
- j) the report of the Planning Inspector

The Board is satisfied that the information available on file is adequate to allow an Appropriate Assessment Screening to be completed.

Appropriate Assessment Screening

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 had regard to the nature, scale and location of the proposed development, the Appropriate Assessment Screening Statement, the documentation including submissions on file, and the Inspector's assessment.

The Board accepted and adopted the screening assessment carried out by the Inspector and the 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 the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the sites' 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: Rye Water Valley/ Carton SAC (Site Code 1398); Glenasmole Valley SAC (Site Code 1209); Wicklow Mountains SAC (Site Code 2122); Wicklow Mountains SPA (Site Code 4040); South Dublin Bay & River Tolka Estuary SPA (Site Code 4024) and South Dublin Bay SAC (Site Code 0210) or any other European site, in view of the conservation objectives of these sites.

Furthermore it is considered that the need for the proposed development has been demonstrated and that subject to compliance with the mitigation measures set out in the Planning and Environmental Report and subject to compliance with the conditions set out below, the proposed development:

- would be in accordance with national policies and guidance, and with regional and local development policies,

- would not seriously injure the amenities of the area or of property in the vicinity,
- would not seriously injure the visual or recreational amenities of the area,
- would not give rise to risk of, or exacerbation of, flooding,
- would not be prejudicial to public health or safety,
- would not detract from the character or setting of features of architectural or archaeological heritage, and would not seriously detract from the cultural heritage of the area,
- would be acceptable in terms of traffic safety and convenience,
- would not be likely to have a significant effect, individually or in combination with other plans and projects on the environment, on the amenities of the area or on any European sites, having regard to their conservation objectives.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

23.0 CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars including the mitigation measures specified in the Environmental Report, lodged with the application as amended by the further plans and particulars submitted the 30th day of March 2016 and by the further plans and particulars received by An Bord Pleanála on the 14th day of April 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The final route of the proposed 220Kv double circuit (i.e. Route Option A or B) shall be notified to the planning authority prior to the commencement of any construction works on site.

Reason: In the interests of clarity.

3. All environmental mitigation measures set out in the Planning and Environmental Considerations Report and associated documentation submitted by the developer with the application and by way of further information shall be implemented in full except as may otherwise be required in order to comply with the conditions of this order.

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

4. The associated removal of a section (approximately 3 km in length) of the existing Inchicore-Maynooth 220 kV double-circuit overhead line, comprising that section of overhead line between the two interface compound sites which are to be made redundant and which includes the removal of 13 existing towers shall be completed within 12 months from the commencement of works on site pursuant to this approval or within 3 months following the commissioning of the substation whichever is sooner.

Reason: In the interest of clarity and visual amenity.

5. A separation distance of 10m from the edge of the railway line to the edge of the underground cable circuit route shall be provided. Prior to commencement of work on site the methodology and timing of the removal of sections crossing the railway will be agreed with the Planning Authority in consultation with Irish Rail.

Reason: In the interest of clarity and health and safety.

6. (a) The site shall be landscaped in accordance with a comprehensive scheme of landscaping. Details including a timescale for implementation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 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

(b) Details for providing mitigation in the form of semi-solid screening and revised planting to the Eastern Interface Compound reflecting the future urban location of the site at a prominent junction within Clonburris SDZ shall be

agreed with the planning authority, prior to the commencement of development.

Reason: In order to screen the development and assimilate it into the surrounding landscape, in the interest of visual amenity.

7. Details of the materials and external finishes of substation shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of work on site

Reason: In the interests of visual amenity.

8. The applicant shall appoint a suitably qualified ecologist to monitor and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna are carried out in accordance with best ecological practice and to liaise with consultants, the site contractor, the NPWS and Inland Fisheries Ireland. A report on the implementation of these measures shall be submitted to the planning authority and retained on file as a matter of public record.

Reason: To protect the environmental and natural heritage of the area.

9. Construction of the proposed development shall be completed in accordance with the Construction Environmental Management Plan details of which are to be agreed, in writing, with the planning authority prior to the commencement of development. The plan shall incorporate the following mitigation measures:

- (a) the location of the site and material compound including areas identified for the storage of construction refuse,
- (b) the 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 timings 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) provision of cross sections of the ducting every 500m for each section of road for option A or B
- (g) programme of works for each section of road for options A or B
- (h) detailed construction and traffic management plan for each section of road for options A or B
- (i) The contractor should be required to ensure that a live carriageway should be open in both directions 7am to 7pm Monday to Friday
- (j) A Clerk of Works should be employed by EirGrid who will report to South Dublin County Council and who will be responsible for the overall works, traffic management and health and safety.
- (k) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- (l) measures for the protection of all road surfaces, culverts, watercourses and ditches during construction,
- (m) details of appropriate mitigation measures for noise, dust and vibration including the monitoring of such levels,
- (n) the containment and bunding of all construction related fuel and oil within special constructed bunds to ensure that fuel spillages are fully contained,
- (o) management of construction/demolition waste including details of how it is proposed to manage excavated soil,
- (p) a protocol for reporting and managing accidental spillages during the construction and operational stage that may cause soil contamination or surface water pollution,
- (q) a water and sediment management plan providing for the means to ensure that surface water run-off is controlled such that no silt or other pollutions enter the local water courses or drains, and

Reason: In the interest of protection of the local environment, amenities and public health.

10. All road surfaces, culverts, watercourses, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall

be reinstated to the satisfaction of the planning authority. Prior to commencement of development, a road condition survey shall be taken to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to ensure a satisfactory standard of development.

11. Where power lines are to be laid across the Griffeen River or any of its tributaries as part of this proposed development, surveys are to be carried out for evidence of the presence of otters for a distance of 100m up and downstream of the crossing points and submitted to the NPWS. If any breeding or resting places of otters, namely holts or couches, are discovered within the construction corridors of the power lines, licences from the Habitat Directive and interference with these places to be applied for to NPWS before any work on this project is undertaken.

Reason: To conserve a species of high conservation importance afforded a regime of special protection under the European Habitats Directive 92/43/EEC as transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations 2011.

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

13. During the construction phase of the proposed development, the noise level from within the premises, measured at noise sensitive locations in the vicinity, shall not exceed:

(a) an $L_{Ar(1 \text{ hour})}$ value of 70 dB(A) during the period 0700 to 1900 hours from Monday to Saturday (inclusive), and

(b) an $L_{Aeq(15 \text{ minutes})}$ value of 45 dB(A) at any other time.

All sound measurements shall be carried out in accordance with ISO Recommendations R 1996, "Assessment of Noise with Respect to Community Response" as amended by ISO Recommendations R 1996/1, 2 and 3, "Description and Measurement of Environmental Noise", as appropriate.

Reason: To protect the amenities of properties in the vicinity of the site.

14. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:

(i) An L_{AeqT} value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive. [The T value shall be one hour.]

(ii) An L_{AeqT} value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

(b) All sound measurement shall be carried out in accordance with ISO Recommendation R 1996 "Assessment of Noise with respect of Community Response" as amended by ISO Recommendations R 1996 1, 2 or 3 "Description and Measurement of Environmental Noise" as applicable.

Reason: To protect the amenities of property in the vicinity of the site.

15. (a) Water supply and drainage arrangements including the disposal of surface water shall comply with the requirements of Irish Water for such works in respect of both the construction and operation phases of the proposed development.

(c) Prior to commencement of work on site the developer shall agree details including proximity of the proposed development to the strategic Leixlip Saggart Water Scheme with the Planning Authority in consultation with Irish Water.

(c) The developer shall agree details with Irish Water and SDCC regarding relocation and protection of existing services in the form of watermains, foul and surface water sewers in order to facilitate the proposed development. Any works required to relocate these services should be undertaken at the applicant / developers expense.

Reason: To ensure adequate servicing of the proposed development and prevent pollution and to ensure that the proposed development does not conflict with any proposed underground connections.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

Mary Crowley
Senior Planning Inspector
1st June 2016