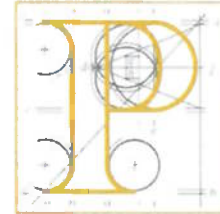


Our Case Number: ABP-319866-24



An
Bord
Pleanála

Brendan Fleming
7 Seabury Dale
Malahide
Co. Dublin

Date: 14 August 2024

Re: Proposed development known as North Irish Sea Array ("NISA") Offshore Wind Farm
Located off the coast of Counties Dublin, Meath and Louth (www.northirishsearraysid.ie)

Dear Sir / Madam,

An Bord Pleanála has received your recent submission and fee in relation to the above-mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions/observations received in relation to the application will be made available for public inspection at the offices of Dublin City, Fingal, Meath and Louth County Councils and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to marine infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email marine@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,



Ellen Moss

Executive Officer
Direct Line: 01-8737285

OA03

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

7 Seabury Dale,
Malahide,
Co. Dublin.

9th August 2024

BY HAND

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

AN BORD PLEANÁLA	
LDG-	<u>073876 - 24</u>
ABP-	_____
09 AUG 2024	
Fee: €	<u>50.00</u> Type: <u>CASH</u>
Time: <u>12.07</u>	By: <u>hand.</u>

Case Ref. OA29N.319866

Proposed Development by North Irish Sea Array Windfarm Ltd. (NISA)

Dear Sir/Madam,

Please find enclosed my observations in respect of the above proposed development.

The planning fee of €50 is paid in cash at your offices.

Yours sincerely,

Brendan Fleming.

An Bord Pleanála Case Reference OA29N.319866

Proposed Development by North Irish Sea Array Windfarm Ltd. (NISA)

Observations by Brendan Fleming

To The Secretary,

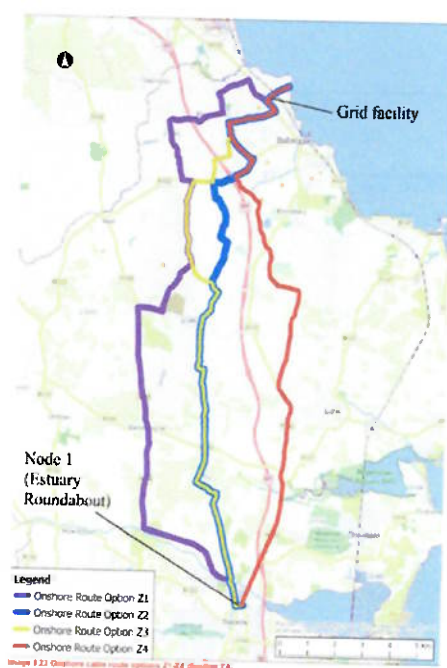
Firstly, I wish to clarify that I support Ireland's overall objective of increasing our renewable energy capacity and infrastructure to contribute to reducing our dependence on fossil fuels for energy generation and thereby contributing to achieving Ireland's climate targets.

In relation to the above proposed development, I wish to make a number of observations regarding the proposed onshore cable route options.

Onshore cable route

The applicant has identified a study area for the route of the onshore cable from the grid facility at Bremore to Belcamp Substation, divided into two sections, ZA and ZB, with a node point in between (Node 1) at Estuary Roundabout, Swords which was chosen to facilitate potential route options.

In Section ZA, four alternative route options, Z1 to Z4, were chosen for consideration. These mainly run along local roads from Bremore to Node 1. Following assessment, Route Z2 was deemed the emerging preferred route but because a significant proportion of this route consisted of narrow roads which would lead to construction and traffic management issues, an alternative route along the R132 was considered and following further assessment, the R132 was adopted as the preferred cable route option (see Images 5.22 and 5.24 below).



In Section ZB, three alternative route options, Z5 to Z7, were chosen for consideration. These mainly run along regional roads from Node 1 to Belcamp Substation. Following assessment, Route Z5 was deemed the emerging preferred route. However, a portion of this route creates conflicts with the proposed Metrolink route corridor along the R132 and another portion of this route could conflict with the Aviation Fuel Pipeline along Stockhole Lane where utility services are congested. Options Z5 and Z6 were not progressed further. In addition, part of the proposed 110KV underground cables to serve Metrolink could create conflicts along the R107 between Kinsealy and Clare Hall and so, four other route options, Options 1 to 4, east of the R107, were examined. Of these, Option 4 appears to be the favoured option, if required. If not, Route Z7 has emerged as the preferred cable route option (see Image 5.23 below).



It is worth looking closer at how the alternative route options were chosen, assessed and evaluated. A key determinant in the choice of all route options was the requirement by Eirgrid in its specifications that all underground cables be located in public roads. See Section 5.7.4.2 – Basis of Design which states as follows:

- *Underground cables shall as a standard, be routed within the reserve of public roads*
- *If it is absolutely necessary and no other reasonably practical option exists, routing cables on private lands may be proposed, subject to a design review and acceptance by EirGrid*
- *The routing of cables through private lands shall only be considered if all other options have been exhausted (to the satisfaction of EirGrid).*

The comparison of the initial route options is set out in Table 5.6 below.

Length and cost attract significant weightings. In relation to Route Z7, it is arguable that the difference between it and Route Z6 is not significant and that Z7 should be classified as red given that this route traverses more built-up areas. An arbitrary cutoff of 12km may have been chosen but this is not stated.

Table 5.6 Summary of comparison of cable route options

Assessment Criteria		Section ZA				Section ZB	
		Route option Z1	Route option Z2	Route option Z3	Route option Z4	Route option Z5	Route option Z7
Length		27.8km	23.5km	23.5km	22.5km	8.2km	11.5km
Ecology							
Heritage							
Visual Amenity							
Zoning							
Land ownership							
Centres of population							
Planning							
Constructability	Motorway crossings						
	Rail crossings						
	Watercourse crossings						
	Utilities						
Safety							
Construction Cost							
Emerging preferred feasible route(s)		Route Option Z2				Route Option Z5	

In relation to centres of population, Section ZB is blank in the Table. However, the text clarifies that all ZB routes were classified as amber. See Section 5.4.7.6 which states as follows:

Centres of Population

In Section ZA, all of the cable route options were classified as green as none travel through major centres of population. In section ZB, whilst none of the cable route options pass through village/town centres, all of them pass through built up areas due to the suburban nature of the study area in section ZB. All routes were classified amber accordingly.

It is further noted that centres of population may be confused with village/town centres. A centre of population relates to the town or village and not to the centre of the town or village. Due to the impact of a development of this scale on a built-up area or community, it is arguable that this should be classified as red in the above assessment. This point is evident when one considers the classification as green given to the centre of population in Section ZA for all routes and in particular for the alternative route option utilising the R132 which has emerged as the preferred route (see Table 5.7 below).

Table 5.7 Summary of comparison of cable route options including alternative route option utilising R132

		Section ZA				
Assessment Criteria		Route option Z1	Route option Z2	Route option Z3	Route option Z4	Alternative Route Option utilising R132
Length		27.3km	23.5km	23.5km	22.5km	20.6km
Ecology						
Heritage						
Visual Amenity						
Zoning						
Land ownership						
Centres of population						
Planning						
Constructability	Motorway crossings					
	Rail crossings					
	Watercourse Crossings					
	Utilities					
Safety						
Construction Cost						
Preferred feasible route(s)						
						Alternative route option utilising R132

Arising from the above, it is clear that length and, as a consequence, construction cost are the dominant criteria in determining the preferred route. No consideration, or very little consideration, has been given to the impact of the proposed development on the community, particularly in built-up areas, when it comes to assessing and selecting route options.

Environmental Impact Assessment Report

Following on from the selected route option, the Environmental Impact Assessment Report (EIAR) was completed. There are many sections in the EIAR which are relevant to the impact of the proposed development on the community. Principal among them are *Chapter 24 Traffic and Transportation* and *Chapter 32 Population and Human Health*. Considerable amounts of data are contained in these reports.

Some relevant observations include -

- The traffic volumes, particularly in built-up areas, are significant, ranging from 7,000 AADT to 33,000 AADT and rising to 50,000 AADT on the R139 (excluding construction traffic).
- Diversion routes, particularly in Malahide (Old Yellow Walls Road and R124), are unsuitable for additional traffic volumes given the sub-standard horizontal and vertical alignments that currently pertain.
- Bus services of up to 100 per day on certain routes will be adversely affected by full and partial road closures. Bus diversion routes are not suitable in several cases and will leave 1,000's of people without reasonable access.
- In relation to Seabury and Malahide Road (north) it is stated that *"There are no significant impacts on bus services."* (Page 32.19). This is clearly not the case.
- Access to schools along R124 will be severely affected due to proposed diversions.
- Increased numbers of HGV's on diversion routes are predicted to exceed 50% in most cases.

- While mitigation measures, such as additional work crews, are proposed on roads with full and partial closures, the reality is that rates of progress during construction in built-up areas will be adversely affected due to the multiplicity of underground services to be encountered, the necessity for repairs and reinstatements on an ongoing basis and the interaction with other utility service providers.
- It is stated in Chapter 32 that *"In some areas the duration of increased HGV flows is likely to be short, but for the purpose of the traffic and transportation assessment a maximum duration of 24 months in all locations has been assumed."* (Page 32.22). This is very different from the low number of weeks of disruption stated throughout the EIAR where in most cases, the impact is assessed as *"Negative/Significant/Temporary"*.

It is clear that the cost to the community in terms of impact does not appear to have been addressed in any meaningful way. In all the circumstances, it is hard to avoid the conclusion that a more disruptive route could not have been chosen.

Alternative Onshore Route Options

Central to the onshore element of this proposed development is the requirement to locate the underground cable within the reservation of public roads. The EIAR goes into significant detail in documenting the impacts of the proposed development. However, the many mitigation measures proposed, particularly during the construction phase, cannot escape the fact that the cable route has been predetermined to be located in the public road.

Why is this the case? Eirgrid imposes this requirement on others but does not adhere to this requirement itself. Eirgrid recently submitted an application for the East Meath – North Dublin Grid Upgrade from Woodland, Co. Meath to Belcamp, Co. Dublin wherein approximately 30% of the route (11.5km) is located in private lands (ABP Case Ref VA06F.319422 refers).

International practice shows that strategic infrastructure is often located on private lands. Indeed, this also holds true for many developments in Ireland.

The question that An Bord Pleanála should address is whether this is reasonable in all the circumstances. In cases where all things are equal, it is reasonable to require applicants to place utility services in the public road. This facilitates future maintenance and operation. It also avoids the necessity of having to engage with third parties, i.e., landowners. However, where the benefits, both environmental and otherwise, of locating services in private lands accrue to affected communities and society at large, these should not be ruled out.

In respect of the current application, it is clear that the preferred route along the R132 in Section ZA has many advantages. Chief among these is length, and, as a consequence, construction cost, with no apparent environmental downside. In relation to Section ZB, Route Z5 was initially preferred as it was the shortest route but was subsequently discounted principally due to conflicts with the proposed Metrolink route (and also the Aviation Fuel Pipeline). Route Z6 met a similar fate. Arising from this, Route Z7 emerged as the preferred route even though it was the longest route and created the biggest adverse impacts on the wider community.

In such circumstances, one has to ask whether an alternative route, even through private lands, must be ruled out merely because it passes through private lands. If there are environmental benefits to be gained, then surely it cannot be ruled out.

One alternative route, from Estuary Road (near Malahide Rugby Club) to Stockhole Lane through private lands, was suggested but appears to have been ruled out very quickly based primarily on a desktop study and, perhaps, a desire not to enter into negotiations with private landowners.

Another variation of the alternative route, commencing near the Seatown Road Roundabout on Estuary Road and traversing agricultural lands, crossing the R106 near the Malahide Allotments, and continuing southwards and east of Feltrim Quarry to a point at Stockhole Lane where it could run parallel to the proposed East Meath – North Dublin Grid Upgrade line mentioned above and terminating at Belcamp Substation.

Both of the above suggested routes offer several environmental and other benefits such as –

- Minimising the impact and interaction with the Malahide Estuary SAC/SPA/pNHA.
- Reducing the length of the route with consequent cost savings.
- Reducing the duration of the construction phase.
- Reducing the quantity of materials required for construction.
- Reducing the quantity of materials to be disposed of to waste facilities.
- Minimising the impact on material assets such as utilities.
- Reducing the noise and vibration associated with construction activities.
- Maximising the quantity of topsoil and subsoil for reuse in fields.
- Substantially reducing the impacts on traffic and transportation thereby reducing emissions.
- Substantially reducing the impacts on the wider community thereby gaining community buy in.

Conclusion

In assessing the onshore cable route options associated with this application, An Bord Pleanála should have regard to the overall impact of the proposed development and not limit itself to the confines of public roads as the only viable option for the delivery of this project. It is not unreasonable for such alternatives to be evaluated. Where this requires the applicant to submit additional information in respect of part of the project, it should not prevent An Bord Pleanála from approving the overall project nor should it unduly delay the delivery of the project within a reasonable timescale.

Brendan Fleming

09/08/2024