

An  
Bord  
Pleanála

**Application Form for Permission / Approval  
in respect of a Strategic Infrastructure  
Development**

1.

Please specify the statutory provision under which your application is being made:	<b>S.182 – Electricity Transmission Development</b>
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2. **Applicant:**

Name of Applicant:	<b>Crag Wicklow Limited</b>
Address:	<b>Unit 22 The Cubes, Beacon South Quarter, Sandyford, Dublin 18</b>
Telephone No:	<b>(01) 905 3563</b>
Email Address (if any):	<b>smccormick@echelon-dc.com</b>

**3. Where Applicant is a company (registered under the Companies Acts):**

Name(s) of company director(s):	<b>Graeme McWilliams, Niall Molloy, David Molloy</b>
Registered Address (of company)	<b>Unit 22 The Cubes, Beacon South Quarter, Sandyford, Dublin 18</b>
Company Registration No.	<b>657158</b>
Telephone No.	<b>(01) 905 3563</b>
Email Address (if any)	<b>smccormick@echelon-dc.com</b>

**4. Person / Agent acting on behalf of the Applicant (if any):**

Name:	<b>Luke Wymer</b>
Address:	<b>39 Fitzwilliam Place, Dublin 2</b>
Telephone No.	<b>(01) 662 5803</b>
Mobile No. (if any)	<b>N/A</b>
Email address (if any)	<b>lwymer@johnspainassociates.com</b>

**Should all correspondence be sent to the above address? (Please tick appropriate box)**

(Please note that if the answer is "No", all correspondence will be sent to the Applicant's address)

Yes: [ X ] No:[ ]

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

**Enda Baker – 086 8068856 - enda.baker@ftsquared.com**

**5. Person responsible for preparation of Drawings and Plans:**

Name:	<b>Ronan Geoghegan (CSEA) John Norton (Reddy A+U)</b>
Firm / Company:	<b>Clifton Scannell Emerson Associates Consulting Engineers  Reddy Architecture + Urbanism</b>
Address:	<b>Clifton Scannell Emerson Associates Consulting Engineers Mentec House (1st Floor), Bakers Point, Pottery Road, Dun Laoghaire, Co. Dublin, A96 K6P3  Reddy Architecture + Urbanism 41 Dean Street, Kilkenny, R95 A0EC</b>
Telephone No:	<b>CSEA: (01)288 5006  Reddy A+U: (056) 776 2697</b>
Mobile No:	<b>N/A</b>
Email Address (if any):	<b>CSEA: Ronan.Geoghegan@csea.ie  Reddy A+U: jnorton@reddyarchitecture.com</b>
Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form.  <b>Please refer to separate schedules of drawings.</b>	

**6. Site:**

<p>Site Address / Location of the Proposed Development (as may best identify the land or structure in question)</p>	<p>The proposed development primarily comprises the provision of a new 110 kV substation with Gas Insulated Switchgear (GIS) technology and two 110 kV underground transmission cables (connecting to existing 220 kV overhead lines to the northwest of the proposed substation) along with associated and ancillary works. The proposed development is located within the townlands of Bogland, Kish, Cooladangan, Ballintombay, Ballyroonaun, and Ballynattin, Co. Wicklow. The site of the proposed development has an area of c. 8.68 hectares.</p> <p>The proposed 110kV GIS Substation is to be located on lands to the northwest of the ICT facility development permitted under Wicklow County Council Reg. Ref.: 20/1088, within an overall landholding bound to the south / southwest by the existing Kish Business Park, to the southeast by dwellings and Kish Road, to the west by the Dublin-Rosslare railway line (beyond which is the R772 and the M11), and to the east and north by agricultural lands.</p>
<p>Ordnance Survey Map Ref No. (and the Grid Reference where available)</p>	<ul style="list-style-type: none"> <li>• 4485-D</li> <li>• 4486-A</li> <li>• 4485-B</li> <li>• 4486-C</li> </ul>
<p>Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.</p> <p><b>CAD file in .dwg format, with all geometry referenced to ITM provided</b></p>	
<p>Area of site to which the application relates in hectares</p>	<p><b>8.68 ha</b></p>
<p>Site zoning in current Development Plan for the area:</p>	<p><b>Arklow and Environs Local Area Plan:</b>  <b>Partially zoned E Special Employment and partially zoned E1 Employment</b>  <b>The subject site is also partially located outside the LAP boundaries (i.e. part of the transmission line connection routes traverse unzoned lands).</b></p>

<p>Existing use of the site &amp; proposed use of the site:</p>	<p><b>Undeveloped land, public roads, private roads, and agricultural lands.</b></p> <p><b>The proposed substation site will accommodate and be used for the operation of a 110kV GIS substation, while the land above the underground cable routes will be reinstated and its existing use will continue.</b></p>
<p>Name of the Planning Authority(s) in whose functional area the site is situated:</p>	<p><b>Wicklow County Council</b></p>

**7. Legal Interest of Applicant in respect of the site the subject of the application:**

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner <b>X</b>	Occupier
	Other <b>X</b>	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
<p><b>The applicant is the owner of the lands on which the 110kV GIS substation and parts of the transmission line connections are proposed.</b></p> <p><b>The remaining parts of the application site are owned by other parties. Please refer to the application form attachment and letters of consent for further details.</b></p>		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
<p><b>Part of the site for the proposed development is in the ownership of the following parties from whom letters of consent are provided:</b></p> <ul style="list-style-type: none"> <li>- <b>Seoirse McGrath, Moneylane, Arklow, County Wicklow</b></li> <li>- <b>Elizabeth McCarthy, Ballinatombay, Arklow, County Wicklow</b></li> </ul> <p><b>A letter of consent from each of the above landowners is submitted as part of this application.</b></p> <p><b>For further details in respect of land ownership and consent please refer to the form attachment.</b></p>		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
The applicant owns the lands of the permitted ICT development surrounding the proposed substation compound. These other lands in the applicants ownership are outlined in blue on the site location map.		

**8. Site History:**

**Details regarding site history (if known):**

Has the site in question ever, to your knowledge, been flooded?

Yes: [ ] No: [ X ]

If yes, please give details e.g. year, extent:

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes: [ ] No: [ X ]

If yes, please give details:

<b>Are you aware of any valid planning applications previously made in respect of this land / structure?</b>		
Yes: [ <input checked="" type="checkbox"/> ] No: [ <input type="checkbox"/> ]		
If yes, please state planning register reference number(s) of same if known and details of applications		
<b>Reg. Ref. No:</b>	<b>Nature of Proposed Development</b>	<b>Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Bord Pleanála</b>
20/1088	Construction of 3 no. part one storey, part two storey, information and communication technology (ICT) facility buildings, each with a gross floor area (GFA) of c. 22,210 sq.m (66,630 sq.m GFA in total), and with a height (to parapet level) of c. 10.4 metres, and associated development.	Final Grant by Planning Authority – 10/06/2021
<p>If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.</p> <p><b>N/A – above-referenced application was submitted more than 6 months prior to lodgment of the current application.</b></p>		
<b>Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?</b>		
Yes: [ <input type="checkbox"/> ] No:[ <input checked="" type="checkbox"/> ]		
If yes please specify		
An Bord Pleanála Reference No.: _____		



## 9. Description of the Proposed Development:

Brief description of nature and extent of development

In accordance with Section 182A of the Planning and Development Act 2000 (as amended) Crag Wicklow Limited, gives notice of its intention to make an application for permission/approval to An Bord Pleanála in relation to the proposed development described below.

The proposed development primarily comprises the provision of a new 110 kV substation with Gas Insulated Switchgear (GIS) technology and two 110 kV underground transmission cables (connecting to existing 220 kV overhead lines to the northwest of the proposed substation) along with associated and ancillary works. The proposed development is located within the townlands of Bogland, Kish, Cooladangan, Ballintombay, Ballyroonaun, and Ballynattin, Co. Wicklow. The site of the proposed development has an area of c. 8.68 hectares.

The proposed 110kV GIS Substation is to be located on lands to the northwest of the ICT facility development permitted under Wicklow County Council Reg. Ref.: 20/1088, within an overall landholding bound to the south / southwest by the existing Kish Business Park, to the southeast by dwellings and Kish Road, to the west by the Dublin-Rosslare railway line (beyond which is the R772 and the M11), and to the east and north by agricultural lands.

The development is described as follows:

The proposed substation compound is subdivided into two parts. The southern part of the compound will accommodate and a two storey 110kV GIS substation building (with a gross floor area of c. 1,299 sq.m). The northern part of the compound will accommodate four transformers, a single storey client control building (with a gross floor area of c. 419 sq.m) and associated underground services. Both parts of the substation compound are enclosed within c. 2.4 metre high security fencing.

The proposed dropdown 110kV transmission lines will connect the proposed 110kV GIS substation building to existing 110kV overhead transmission lines to the northwest of the proposed substation (the Arklow Banoge 110kV overhead line) and will comprise the provision of two dropdown masts (c. 17 metres in height) and associated overhead

transmission line connections, transitioning to underground transmission lines set within ducts, that will subsequently progress into the 110kV GIS substation building.

The proposed 110kV underground transmission lines will primarily run through undeveloped lands, agricultural lands, and via public roads between the proposed 110kV GIS substation and existing Arklow – Banoge overhead lines to the northwest of the site.

The proposed 110kV underground transmission lines form a loop that will be divided into two circuits, Circuits A and B. Proposed Circuit A proceeds from the site of the proposed 110kV GIS substation westwards, crossing the nearby railway line, then proceeds south-west along the R772 to cross the Moneylane Stream and crosses underneath the M11 motorway at Junction 21, then proceeds along the L6187, enters agricultural lands adjacent to Knockeneahan Road, and terminates at the existing 110 kV Arklow – Banoge overhead line. Proposed Circuit B proceeds from the site of the proposed 110kV GIS substation westwards, crossing the nearby railway line, the Moneylane Stream, the R772, and the M11, then traverses lands within the Arklow IDA Business Park, and open agricultural lands adjacent to the M11 and Knockeneahan Road (L2190) and terminates at the existing 110 kV Arklow – Banoge overhead line.

The development includes adjacent access paths, connections to the substation and to the overhead lines, removal of redundant overhead lines, landscaping and landscape screening to the proposed GIS substation compound, security fencing, provision of internal access roads and car parking (9 no. spaces) within the substation compound, services, all associated construction works, and all ancillary works.

An Environmental Impact Assessment Report has been prepared in respect of this application.

**10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:**

<b>Class of Development:</b>	<b>Gross Floor Area in m<sup>2</sup></b>
N/A	N/A

**11. Where the application relates to a building or buildings:**

Gross floor space of any existing buildings(s) in m <sup>2</sup>	<b>0 sq.m</b>
Gross floor space of proposed works in m <sup>2</sup>	<b>1,718 sq.m</b>
Gross floor space of work to be retained in m <sup>2</sup> (if appropriate)	<b>0 sq.m</b>
Gross floor space of any demolition in m <sup>2</sup> (if appropriate)	<b>0 sq.m</b>

**12. In the case of residential development please provide breakdown of residential mix: N/A**

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses							
Apartments							
Number of car-parking spaces to be provided		Existing:	Proposed:			Total:	

**13. Social Housing: N/A**

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		X
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act. If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is “no” by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted.</p>		

**14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:**

Existing use (or previous use where retention permission is sought)
N/A
Proposed use (or use it is proposed to retain)
N/A
Nature and extent of any such proposed use (or use it is proposed to retain).
N/A

## 15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			X
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			X
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			X
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.			X
Does the application relate to work within or close to a European Site or a Natural Heritage Area?			X
Does the development require the preparation of a Natura Impact Statement?			X Please refer to the accompanying AA Screening Report
Does the proposed development require the preparation of an Environmental Impact Assessment Report?		X (EIAR submitted with this application)	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?			X
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license			X
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?			X

Do the Major Accident Regulations apply to the proposed development?		X
Does the application relate to a development in a Strategic Development Zone?		X
Does the proposed development involve the demolition of any habitable house?		X

## 16. Services:

<b>Proposed Source of Water Supply:</b>
Existing connection: [ ] New Connection: [ X ] Public Mains: [X ] Group Water Scheme: [ ] Private Well:[ ] Other (please specify): _____ Name of Group Water Scheme (where applicable): _____
<b>Please refer to the engineering services report.</b>
<b>Proposed Wastewater Management / Treatment:</b>
Existing: [ ] New:[ X] Public Sewer: [ X] Conventional septic tank system: [ ] Other on site treatment system: [ ] Please Specify: _____
<b>Please refer to the engineering services report.</b>
<b>Proposed Surface Water Disposal:</b>
Public Sewer / Drain:[ ] Soakpit:[ ] Watercourse: [ X] Other: [X ] Please specify: <b>SUDs. Please refer to the engineering services report.</b>

## 17. Notices:

Details of public newspaper notice – paper(s) and date of publication
Copy of page(s) of relevant newspaper enclosed Yes: [ X ] No:[ ]  The newspaper notice for the proposed development was published in the Irish Daily Mail and The Star on the 24 <sup>th</sup> of November 2022. Both newspapers are included on the Wicklow County Council list of approved newspapers for planning applications.
Details of site notice, if any, - location and date of erection
Copy of site notice enclosed Yes: [ X ] No:[ ]  The locations of the site notices erected are indicated on the site location map submitted herewith. The site notices were erected on the 24 <sup>th</sup> of November 2022.
Details of other forms of public notification, if appropriate e.g. website
A stand-alone website has been created: <a href="http://www.oaklandssid.com">www.oaklandssid.com</a>

## 18. Pre-application Consultation:

<b>Date(s) of statutory pre-application consultations with An Bord Pleanála</b>
<b>Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form.</b>  Enclosed:  Yes: [ X ] No:[ ] Please refer to Planning Report  Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification.  Enclosed:  Yes: [ X ] No:[ ] Copy of notification letters submitted herewith



**Copies of the application, along with letters of notification were issued to the following prescribed bodies as requested within the determination on the pre-application consultation process:**

- **Minister for Housing, Local Government and Heritage**
- **Minister for Environment, Climate and Communications**
- **Wicklow County Council**
- **Irish Water**
- **Irish Rail**
- **Transport Infrastructure Ireland**
- **Failte Ireland**
- **An Taisce**
- **Heritage Council**
- **Commission of Regulation of Utilities, Water and Energy**
- **Health Service Executive**
- **Irish Aviation Authority**
- **Health & Safety Authority**

**19. Confirmation Notice:**

**Copy of Confirmation Notice**


Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application. **Please refer to JSA Cover Letter for copy of EIA Portal Confirmation.**

**20. Application Fee:**

Fee Payable

**€100,000 (copy of EFT payment enclosed)**

**I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.**

Signed: (Applicant or Agent as appropriate)	
Date:	24 <sup>th</sup> November 2022

**General Guidance Note:**

The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

## **Form Attachment – Question 7 - Legal Interest of Applicant in respect of the site the subject of the application**

The following is noted in relation to Question 7 of the Planning Application Form.

1. The application procedure in respect of strategic infrastructure development pursuant to *Section 182A* is provided for under Article 214 of the Planning and Development Regulations, 2001, as amended (*“the 2001 Regulations”*). There is no equivalent provision to Article 22(2)(g) of the 2001 Regulations, which imposes a requirement to enclose, with a planning application under section 34 of the 2000 Act, the written consent of any landowner whose land is included in the planning application, where the said land is not owned by the applicant himself. This was confirmed by the High Court in *n North East Pylon Pressure Campaign Limited .v. An Bord Pleanala and Others*.<sup>1</sup>
2. There is no prescribed application form in respect of strategic infrastructure development, whether under *Section 182A*, or otherwise. An application form is made available by the Board for strategic infrastructural development, which refers to landowner consent. However, it is clear that this could not and does not impose any legal requirement to submit the written consent of any third party landowner whose land is included within the application site as there is no regulatory requirement in that regard. This is addressed at paragraph 21 of the judgment in *North East Pylon* as follows:

*“21. As to An Bord Pleanála’s ‘Application Form for Permission/Approval in respect of a Strategic Infrastructure Development’ there is: (i) no such form prescribed by law; (ii) for the reasons stated previously above, no requirement that a person making application under s.182A of the Act of 2000 obtain landowner consent; and (iii) no way that the said form could change this legal position – in and of itself the form is something of a legal nothing. Be that as it may, the applicants have pointed to Box 7 of the said form as support of their argument as to the need for landowner consent.”<sup>2</sup>*

Notwithstanding the above, letters of consent are submitted herewith from the following landowners, who are the main private landowners of the transmission line connection routes:

- Seoirse McGrath, Moneylane, Arklow, County Wicklow
- Elizabeth McCarthy, Ballinatombay, Arklow, County Wicklow

The following table outlines further relevant landowners, which primarily comprise of public / semi-state bodies (with the exception of Servier):

- Servier (Ireland) Industries Limited - Gorey Road, Arklow, County Wicklow

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<sup>1</sup> [2017] IEHC 338.

<sup>2</sup> Emphasis added.

- Wicklow County Council - County Buildings, Station Road, Whitegates, Wicklow, A67 FW96
- IDA Ireland - Athlone Business and Technology Park, Garrycastle, Dublin Road, Athlone, Co. Westmeath.
- Iarnród Éireann - Irish Rail - Iarnród Éireann HQ, Connolly Station, Amien Street, Dublin 1, D01 V6
- Transport Infrastructure Ireland (TII) & BAM PPP - Parkgate Business Centre, Parkgate Street, Dublin 8

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Date: 16/11/2022

Dear Sir/Madam,

**RE: APPLICATION UNDER SECTION 182A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) BY CRAG WICKLOW LIMITED**

I Elizabeth McCarthy consent to the making of an application by Crag Wicklow Limited for a development comprising a 110kV substation and transmission line through my property.

Yours sincerely,

  
On behalf of Elizabeth McCarthy

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Date: 16/11/2022

Dear Sir/Madam,

**RE: APPLICATION UNDER SECTION 182A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) BY CRAG WICKLOW LIMITED**

I Seirse McGrath consent to the making of an application by Crag Wicklow Limited for a development comprising a 110kV substation and transmission line through our property.

Yours sincerely,



**On behalf of Seirse McGrath**

AN BORD PLEANALA  
64 Marlborough St  
Dublin 1  
D01 V902

18/10/2022

Dear Sir or Madam,

**REMITTANCE ADVICE**

Arrangements have been made to credit your account in accordance with the following:

<b>Beneficiary Name:</b>	AN BORD PLEANALA
<b>Beneficiary BIC:</b>	AIBKIE2DXXX
<b>Beneficiary Account Number:</b>	IE70AIBK93105500316067
<b>Beneficiary Reference:</b>	CRAG WICKLOW
<b>Amount:</b>	EUR 100,000.00
<b>Crediting Date*:</b>	19/10/2022
<b>Information for the beneficiary:</b>	SID APPLICATION

Should you wish to query this payment, please contact us.

\* This is the date the payment is due to arrive at your bank but please be aware that your bank may not make funds available to you on that date.

- The information stated above does not confirm that the payment is complete; it simply confirms that the payment instruction has been made. As such, the payment may be subject to recall/cancellation.

Yours faithfully,

Crag Digital Ltd