Validation Checklist

dgement Number : **LDG-064836-23**
Case Number: **ABP-317304-23**
Customer: **Thomas Reid**
Lodgement Date: **05/07/2023 12:45:00**
Validation Officer: **John Cannon**
PA Name: **Kildare County Council**
PA Reg Ref: **221417**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**

An Bord Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Reply to observer

SW

Run at: 06/07/2023 12:12

Run by: John Cannon

S. 37

File With _____

SECTION 131 FORM

Appeal NO: ABP - 317304-23

Defer Re O/H

TO: SEO

Having considered the contents of the submission dated/received 5/7/23

from

Thomas Reid I recommend that section 131 of the Planning and Development Act, 2000

be/not be invoked at this stage for the following reason(s): no new material planning issues

E.O.: _____ Date: 20/7/23

To EO: _____

Section 131 not to be invoked at this stage. ☐

Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____ Date: _____

S.A.O: _____ Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____ Date: _____

AA: _____ Date: _____

S. 37

File With _____

CORRESPONDENCE FORM

Appeal No: ABP_____

M _____

Please treat correspondence received on _____ as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP _____	1. RETURN TO SENDER with BP_____
3. Keep copy of Board's Letter ☐	2. Keep Envelope: ☐
	3. Keep Copy of Board's letter ☐

Amendments/Comments

4. Attach to file (a) R/S ☐ (d) Screening ☐ (b) GIS Processing ☐ (e) Inspectorate ☐ (c) Processing ☐	RETURN TO EO ☐

	Plans Date Stamped ☐ Date Stamped Filled in ☐
EO:	AA:
Date:	Date:

Lodgement Cover Sheet - LDG-064836-23

An Bord Pleanála

Details

ABP-317304-23

Lodgement Date	05/07/2023
Customer	Thomas Reid
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-064836-23
Map ID	
Created By	Aine Loughran
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Kildare County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation/Objection Allowed?	
Payment	PMT-050269-23
Related Payment Details Record	PD-050150-23

LIA: 6/7/23

Observation

Run at: 05/07/2023 12:49

Run by: Aine Loughran

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

Run at: 05/07/2023 12:49

Run by: Aine Loughran

Comhairle Contae Chill Dara
Kildare County Council

AN BORD PLEANÁLA
LDG- 06M836-23
ABP-
05 JUL 2023
Fee: € 50 Type: CHQ
Time: By: Mend

Date: 03/01/2023
Pl. Ref: 22/1417

Thomas Reid
Hedsor House
Blakestown
Carton
Maynooth, Co. Kildare

This is an important document

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

Re: Planning Reference: 22/1417 - Intel Ireland Ltd for the alteration and realignment of an approximate 1.1km section of existing double circuit overhead line which supports the existing Maynooth-Ryebrook and Dunfirth-Kinnegad-Rinnawade 110kV overhead line circuits. The proposed development comprises of: (1) Diversion. Diverting a section of the existing 110kV double circuit overhead line to the north of the River Rye, along the eastern side of the Intel site at Collinstown, linking back to the existing overhead line section at the car park of the Lidl supermarket, directly south of the R148. (2) Removal of Existing Double Circuit Towers. The decommissioning and removal of 4 No existing double circuit steel lattice towers and associated electrical conductors to include the removal of the existing towers and associated electrical conductors from site. (3) Double Circuit Towers. The installation of 7 No new double circuit steel lattice towers. Two of these will be replacement towers (Towers T1 & T7). The towers will range in height from approximately 20.75m to approximately 39.75m above ground level and will support six electrical conductors (overhead lines). (4) Site Works. All ancillary site development, preparation and reinstatement works, including access, landscaping and connection to existing services and utilities and miscellaneous site works. This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended by the Protection of the Environment Act, 2003) is required. An Environmental Impact Assessment Report ("EIAR") and a Natura Impact Statement ("NIS") accompany this application and they will be available for inspection or purchase at the office of the Planning Authority. This is a site to which the Chemicals Act (Control of Major Accident Hazard Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) applies at Intel Leixlip Site Collinstown, Blakestown, Kellystown Collinstown Industrial Park Leixlip, Co Kildare

A submission in writing, has been received from Thomas Reid ON 30/12/2022 in relation to the above planning application.

The submission is in accordance with the appropriate provisions of the Planning & Development Regulations 2001 (as amended), and will be taken into account by the Planning Authority in its determination of the planning application.

Yours faithfully

Senior Executive Officer Planning
Kildare County Council

Comhairle Contae Chill Dara
Kildare County Council

Date: 13/06/2023
Pl Ref.: 22/1417

Thomas Reid
Hedsor House
Blakestown
Carton
Maynooth, Co. Kildare

Re: ***Planning Reference*** 22/1417
Intel Ireland Ltd - the alteration and realignment of an overhead electricity power line, located to the east side of their site and also located at adjacent properties north and south of their site at Collinstown, Leixlip, Blakestown, Kellystown, Collinstown Industrial Park, Leixlip, Co. Kildare approximate 1.1km section of existing double circuit overhead line which supports the existing Maynooth-Ryebrook and Dunfirth-Kinnegad-Rinnawade 110kV overhead line circuits. The proposed development comprises of: (1) Diversion. Diverting a section of the existing 110kV double circuit overhead line to the north of the River Rye, along the eastern edge of the Intel site at Collinstown, linking back into the existing overhead line section at the car park of the Lidl supermarket, directly south of the R148. (2) Removal of Existing Double Circuit Towers. The decommissioning and removal of 4 No existing double circuit steel lattice towers and associated electrical conductors to include the removal of the existing towers and associated electrical conductors from site. (3) Double Circuit Towers. The installation of 7 No new double circuit steel lattice towers. Two of these will be replacement towers (Towers T1 & T7). The towers will range in height from approximately 20.75m to approximately 39.75m above ground level and will support six electrical conductors (overhead lines). (4) Site Works. All ancillary site development, preparation and reinstatement works, including access, landscaping and connection to existing services and utilities and miscellaneous site works. This application consists of a variation to a previously permitted development on an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended by the Protection of the Environment Act, 2003) is required. An Environmental Impact Assessment Report ("EIAR") and a Natura Impact Statement ("NIS") accompany this application and they will be available for inspection or purchase at the office of the Planning Authority. This is a site to which the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) applies. Revised by Significant Further Information which consists of additional information to clarify and supplement information contained within the Environmental Impact Assessment Report and Natura Impact Statement prepared for the proposed development. - At Intel Leixlip Site, Collinstown, Blakestown, Kellystown, Collinstown Industrial Park, Leixlip, Co Kildare

Comhairle Contae Chill Dara
Kildare County Council

Dear Sir/Madam,

I refer to objection/submission made by you to this Planning Authority in relation to the above application. An Bord Pleanála has today advised Kildare County Council that an appeal of KCC's decision was lodged with the Board, on 09/06/2023.

A copy of the appeal, when received from the Board will be available for inspection or purchase at the offices of the Planning Department (Áras Chill Dara, Devoy Park, Naas) during normal opening hours. If you wish to inspect the appeal documentation please contact the offices at (045) 980845 to confirm that it is available.

Submissions or observations in relation to the appeal may be made in writing to An Bord Pleanála at 64 Marlborough Street, Dublin 1 within 4 weeks of the date of receipt by the Board of the appeal and must be accompanied by the prescribed fee of €50.00.

Yours faithfully,

Senior Executive Officer

To/ An Bord Pleanála,
64 Marlborough St.,
Dublin 1

Page 1

From/ Thomas Reid,
Hedsor House,
Blakestown,
Carton,
Maynooth
Co. Kildare

1-7-2023

Dear Sir/Madam, I Thomas Reid wish to make a submission in relation to planning application number K.C.C. 22/1417 Intel Ireland Ltd., Collinstown, Leixlip, Co Kildare in relation to a realignment of a High Powered Electricity Line. First I want to address the Enuironmental Assessments. In the EIAR Report 3:2. Alternative Location 3.2.1. Alternatives Strategies Western Route Map an indicative red line appears on the Reid Farm Property. No consent was ever given to this applicant to re-route a power line from their property to the Reid Property. I must also flag that this applicant Intel is not a supplier of electricity via any network. Document No 4 page 3 reveals a letter from Mr Hardiman states ~~my~~ He respects my ownership and yet Intel has E.IAR report with a red line crossing the Reid Farm for their benefits. It is what I would call contempt. I take it Scott Cawley AWN Consultants and AGS Planning are all involved in the Enuironmental Assessments for this sham application No KCC 22/1417.

Scott CAWLEY HAS BEEN INVOLVED WITH THIS APPLICANTS ASSESSMENTS OVER A LONG NUMBER OF YEARS. BUT WHAT IS VERY DISTURBING IS SCOTT CAWLEY CARRIED OUT THE NATURA IMPACT REPORT FOR THE DRAFT LEIXLIP LOCAL AREA PLAN 2017-2023 FOR KILDARE COUNTY COUNCIL AND IT IS FASCINATING READ. WHATS IN THAT REPORT IS THE PROTECTION OF THE Rye WATER VALLEY/ CARTON S.A.C. AND WHAT APPEARS IN K.C.C No 22/1417 IS A HIGH degree of SKULLDUGGERY being CARRIED OUT by SCOTT CAWLEY, AWN's CONSULTANTS, AOS PLANNING AND KILDARE COUNTY COUNCIL OFFICALS. THE CURRENT C.E.O. OF KILDARE COUNTY COUNCIL SONYA KAVANAGH. A MEMBER OF THE TRANSPORT SECTION OF K.C.C. MR GEORGE WILLOUGHBY WHO HAS SIGNED DOCUMENTATION ON BEHALF OF THAT SECTION OF KCC IN THIS CASE No 22/1417. NOW THOSE TWO OFFICALS OF K.C.C ATTENDED A ORAL HEARING IN 2012 ALONG WITH THE I.D.A. INDUSTRIAL DEVELOPMENT AGENCY TO CARRY OUT A CONFISCATION ORDER AT THIS APPLICANT REQUEST. THOSE TWO OFFICALS ARE CONSIDERED BIAS. THOSE TWO OFFICALS WERE FLAGED by OSBORNE SOLICITORS AND SENIOR COUNCIL MR JOHN AYLMER (HONEST JOHN) AT THAT ORAL HEARING

IN 2012. MR WILLOUGHBY POSITION IN A NUMBER OF CASES RELATING TO THIS APPLICANT IS OBJECTIVE — ACTUAL BIAS. HE ALSO SIGNED OFF ON BEHALF OF THE TRANSPORT SECTION K.C.C. IN THIS CASE No. 22/1417. SO WHAT SCOTT CAWLEY CARRIED OUT IN THE DRAFT LEIXLIP LOCAL AREA PLAN AND WITH THOSE K.C.C. OFFICALS ASSISTANCE MUST BE LIKE A MARRAGE MADE IN HEAVEN FOR THIS APPLICANT. I TAKE IT MR SCOTT OF SCOTT CAWLEY TOOK CHARGE OF THE DRAFT LEIXLIP LOCAL AREA PLAN N.I.R. REPORT FOR K.C.C.
I AM ALSO MAKING AVAILABLE DOCUMENT No 2 TO BE READ IN TOTAL UNDER THIS APPLICATION No 22/1417. IN THIS DOCUMENT AOS PLANNING STATES AT 1.3. IMPACTS ON NHA'S AND SAC'S THAT THE BOUNDARY OF THE RYE WATER VALLEY CARTON SAC DID CHANGE IN SOME RESPECTS. THE REASON GIVEN WAS TO BRING IT INTO DIGITAL FORM MAPPING. I DID SUPPLE MAPS IN RESPONCE TO VERIFY THAT IT WAS IN DIGITAL FORM PRIOR TO ANY BOUNDARY CHANGES. THERE IS A MAP SUPPLIED AT THE END APPENDIX 1 KCC 19/91 BORD No 304672-19. DID SCOTT CAWLEY ADVISE THE N.P.W.S. UNDER THREAT BOUNDARY CHANGES SHOULD TAKE PLACE WITHOUT ANY REASONS BEING GIVEN. N.P.W.S NEEDS TO

issue a Public statement on the matter of Boundary changes without reasons considering this is a priority European site. I take it A.O.S Planning, Scott Cawley A.W.N's Consultants, Jacobs Engineering and K.C.C all need to make public statements on the Deragation/trashing of the Rye Water Valley/Carton S.A.C. a High Priority European site.

Document No 3 refers to new appointment CEO of IDA Ireland Michael Lohan. Now Mr Lohan is well known to the CEO of Kildare County Council Sonya Kavanagh and George Willoughby in the Transport section. They worked as a team to carry out the so-called confiscation order of the Reid Farm on behalf of this applicant in 2012. Mr Lohan is now tainted for carring out the dirty work of K.C.C. Mr Lohan should now make all files recieved from K.C.C. available to the public. In Document 3 Simon Coveney claims he will work hand-in-glove with Mr Lohan. I am now calling on you An Bord Pleanala to refuse this application out right and this power line should remain in situ

where it is Now and Forever Does not comply with the Habitats Directive, Seveso Directive, Justice Directive, or any E.U Directives. Does not comply with the Aarhus Convention. There is also concealment of File, Documentation and Briefs by this Applicant and also K.C.C.. There is also 5p Lease Deal Between this Applicant and the E.S.B. The Application No 22/1417 has the Look of Been Pre-Determined. The Conservation Officer of K.C.C also Recomended a Refusal also. So I am making the call again for this Application No 22/1417 to be Refused outright with this Power Line to Remain in situ where it is Now and Forever.

Including Acknowledgement of K.C.C

Also Included Cheque for €50 Fee

Signed Thomas Reid

Document No 1
Page 1

ARTHUR COX

Arthur Cox LLP
Ten Earlsfort Terrace
Dublin 2
D02 T380

+353 1 920 1000
dublin@arthurcox.com
dx: 27 dublin

Dublin
Belfast
London
New York
San Francisco

arthurcox.com

Our Reference: DS/IN027/124/IN027/124/
Your Reference: 20/04/BH

26 February 2021

Harrington & Co
Solicitors
Newtown
Bantry
Co. Cork
By: DX17003 BANTRY
By email: info@bantrysolicitors.ie

WITHOUT PREJUDICE

Re: Your client: Thomas Reid
Our client: Intel Ireland Limited
High Court Judicial Review Proceedings No.22/54JR

Dear Brian,

I enclose for your client's attention our client's letter written to your client setting out their reasons for wishing to pursue mediation in this matter.

We consider that the identity and quality of the proposed mediator will be key, and we are therefore setting out below the names of three eminent retired judges for your client's consideration, given their complete independence and undoubted integrity:

- Mr. Justice Michael Peart;
- Mr Justice Joseph Finnegan;
- Ms Justice Mary Finlay Geoghegan.

In relation to a proposed venue we understand that given that your client resides just outside of Dublin, you would not be averse to a meeting in Dublin at a neutral venue.

We would be grateful if you could put this mediation proposal to your client in the spirit of our client seeking a genuine resolution to your client's concerns as expressed by him in the current litigation. In that regard, we would be obliged to hear back from you during the course of next week with an indication of your client's position in principle to this proposal.

Document No. 1

Page 2

We await hearing from you.

Kind regards

Yours sincerely

Deborah Spence

Deborah Spence

tel (direct): +353 (0)1 920 1150 | deborah.spence@arthurcox.com

Document No 1
Page 3

intel

26 February 2021

Thomas Reid
Hedsor House
Blakestown
Carton
Maynooth
Co. Kildare

Dear Mr. Reid:

My name is Hugh Hardiman and I am employed by Intel as the Ireland Public Affairs Director. I am writing to you on behalf of Intel to invite you to engage with us via mediation as I would welcome the opportunity to meet with you and listen to your concerns. Intel was founded in 1968 by two scientists who dreamed of creating world-changing technology that enriches the lives of every person on earth. Over the past 50 years, Intel has grown into a large company with facilities in many countries, but we have never forgotten our small company values to conduct business with uncompromising ethics and integrity, and to respect the environment and our community.

Being on good terms with our neighbours is very important to us and it is a source of deep regret that we do not have this kind of relationship with you. We respect what your land means to you and the heritage it represents for you. I am personally committed to working with you in good faith to develop a long-term solution for us to coexist in harmony as neighbours.

Mediation will give me the opportunity to listen to and understand your concerns. I want to assure you that I am fully empowered to make commitments on behalf of Intel, and I am prepared to take all reasonable measures to address what is important to you. For example, I would like to demonstrate our commitment to the environment and community around our site. I would also like to make it clear that we respect your ownership over your land, and we are willing to provide a binding commitment that we will not try to acquire your land.

I look forward to meeting you and engaging constructively with you at a mediation.

Best regards,

Hugh Hardiman
Ireland Public Affairs Director

Intel Ireland Limited
Collinstown Industrial Park
Leixlip, Co Kildare, Ireland W23 CW68

+35316067000

www.intel.com

JACOBS

Jacobs Engineering Ireland Limited
Merrion House
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Telephone: +353 1 269 5666
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Jacobs Engineering Ireland Limite
Mahon Industrial Estate,
Blackrock,
Cork T12 HY54
Ireland
Telephone: +353 21 4515777
Fax: +353 21 4358977

Document No 2

Re: ABP Ref: ABP-304672-19
P.A.Reg. Ref: 19/91
Our Ref. Intel Ireland

An Bord Pleanala
64 Marlborough Street
Dublin 1

01st July 2019

Appeal Response: An extended and revised manufacturing facility. Request for a 10 year planning permission. Collinstown Leixlip Blakestown Kellystown Kilmacredock Lower, Collinstown Industrial Park, Leixlip, Co. Kildare.

A Chara,

On behalf of our client, Intel Ireland Limited, and in response to your letter dated 17 June 2019, please find herewith:

- Response to the Appeal prepared by AOS Planning
- Background to the site – for the assistance of the Board when carrying out an inspection

We trust that the submitted material will facilitate the Board in an expeditious determination of this appeal.

Is mise le meas,

AN BORD PLEANÁLA
LDG-
ABP-
01 JUL 2019
Fee: € Type:
Time: 16.18 By: Hand.

Gerry Loughrey (Agent)
Jacobs Engineering

Attachments:

Attachment A Appeal Response
Attachment B Contact details and health and safety requirements for site visits

AOS PLANNING

Attachment A Appeal Response

Having regard to the content of the appeal made, and the issues raised therein, it is submitted that all planning matters raised have already been previously covered, and addressed, within the planning application documentation submitted to Kildare County Council (KCC) on 01/02/2019, and further within the Response to the Further Information Request from KCC, submitted on 04/04/2019. In addition to this, similar issues were also previously raised and dealt with in respect of the planning application, Response to Further Information, and the planning appeals (including in the Board Inspector's Reports), under KCC Planning Application References 12/435 and 16/1229, and ABP Ref. PL09 .241071), and PL09.248582, respectively. The 2012 development proposal can be considered to be similar to that of the current proposal in terms of character, scale, and proximity to the site boundary.

It is intended to respond to the current Appeal made, by addressing the main issues raised and identifying, for ease of reference, where these have been addressed within the application documentation. Where clarification is required in respect of any misinterpretation/ misunderstanding by the appellant, this is also provided. This appeal response also demonstrates to the Board that the full effects of the development proposal have been examined in detail and fully outlined in the various specialist reports.

At the outset it, is important to state that the proposed development being appealed, is similar to other such developments proposed, granted, and implemented by Intel, and that it is consistent with the use and zoning of the Intel lands for industrial purposes. Intel has operated in Leixlip for 25+ years and has already previously built multiple Fabs on the site, demonstrating their ability to manage such projects, while respecting and protecting the environment around them.

It is further noted that the Kildare County Development Plan (2017-2023), and the Leixlip Local Area Plan (2017-2023) specifically support Intel's activities on its site.

3rd Party Appeal

As with previous objections and previous appeals made by Mr. Reid, it is submitted that much of the appeal is vexatious, and as such, we would request An Bord Pleanála to invoke, if they see fit, the relevant provisions of Section 138(1) of the Planning and Development Act (as amended).

It is also noted in respect of the above, that whilst the appeal cites many of the identified 'issues' as comprising major impacts, it provides no substantiation, nor basis for such statements. Also, as already stated, all of the above have been addressed within the planning application documents. A summary table providing indications, in brief, of these, is provided hereunder:

No	Grounds	Previously Raised & Addressed: 12/435 (ABP. Ref. PL09 .241071)	Previously Raised & Addressed: 16/1229 (ABP. Ref. PL09.248582)	Previously Raised & Addressed: KCC Ref. 19/91 (subject appeal)
1.	Contrary to proper planning and development of the area.	Yes Conclusion to ABP Inspector's Report and as stated in the ABP Order: In consideration of the matters to which ABP must have regard, ABP found the proposed development "*to be in accordance with the proper planning and sustainable development of the area*".	Yes Conclusion to ABP Inspector's Report and as stated in the ABP Order: In consideration of the matters to which ABP must have regard, ABP found the proposed development "*to be in accordance with the proper planning and sustainable development of the area*".	Yes Development and impacts arising are fully in conformance with the zoning of these lands, and have been assessed in accordance with the provisions of the Habitats & Seveso Directives. Ref. Planning Report (sections 5 and 6), NIS (section 1), and COMAH Land Use Planning Assessment (section 2).
2.	This project and 16/ 1229 have an impact NHS's & Sac's – specific mention of Rye Water Valley/ Carton SAC	Yes NIS and EIS (Chapters 6 & 7) An Bord Pleanála Inspector's Report	Yes NIS and EIS – including final Appendix to the EIA – the *Compendium of Mitigation Measures* and as further segmented by information submitted on 08/03/2017 An Bord Pleanála Inspector's Report – Section 7.5.3-7.5.8, Section 8.2.5 and Section 9 (Appropriate Assessment)	Yes The proposed development incorporates an extension and revision of 16/1229. Potential Impacts are fully assessed in the EIA and NIS. Ref. Section 6 of the EIAR. Sections 5 and 6 of the NIS.
3.	References Seveso Directives	Yes Appendix 2.2 of EIS 'Accident Prevention & Emergency Response' Separate Report: '*Quantitative Risk Assessment of Major Accident Hazards Associated with Proposed New Integrated Circuit Wafer Fabrication Facility at Intel Ireland, Leixlip, Co. Kildare*' The competent authority for the regulation of SEVESO sites is the HSA which stated – *the Authority does not advise against the granting of permission in the context of major accident hazards*	Yes Section 5.3.6 (Human Health) of the EIS submitted Separate Report: '*Quantitative Risk Assessment of Major Accident Hazards Associated with Revised Manufacturing Facility Design.*' Refer to Section 7.4.5 of the ABP Inspector's Report which similarly identified that *the HSA, which is the competent authority responsible for the regulation of SEVESO sites, has not advised against granting permission...*(and that)*...this adequately addresses this issue*	Yes Potential Impacts are fully assessed in the EIAR & COMAH (Seveso) Assessment. Ref. Sections 2 and 3 of the EIAR, and the COMAH Land Use Assessment. Refer letter dated 28 February 2019 to Kildare County Council, wherein the HAS again notes that: The competent authority for the regulation of SEVESO sites is the HAS, and ... *the Authority does not advise against the granting of permission in the context of major accident hazards*
4.	Will have major impacts on Protected Structures Hedsor House and its lands, Carton House and its lands, .. Collinstown House and its	Yes Chapter 11 of the EIS – Landscape & Visual Impact; Chapter 15 of the EIS submitted (Cultural & Architectural Heritage; Protected Structures);	Yes Landscape & Architectural Heritage section of the EIS ABP Inspector's Report – Section 7.5.21 and 8.2.9	Yes Potential Impacts are fully assessed in the EIAR, Ref. Sections 11 and 15, and also in section 11.2.10 of the ABP Inspectors Report (ref. PL09 .241071).

	lands, Deey Bridge & Lock and Sandford Bridges	KCC Planner's Report dated August 2012; Section 11.2.10 – ABP Inspector's Report, Ref. PL09.241071		
		Other Issues in Summary		
5.	Habitats & Seveso Directives override all plans and applications	Yes See 1 and 3 above	Yes See 1 and 3 above	Yes See 1 and 3 above
6.	Impacts on protected structures in the area and landscape	Yes See 4. Above	Yes See 4. Above	Yes See 4. Above
7.	Risk to Health & Safety	Yes See 3. Above	Yes See 3. above	Yes See 3. above
8.	Air Emissions from Chemical Processing	Yes EIS Chapter 9.	Yes Section 9 (Air Quality and Climate) of the submitted EIS	Yes Potential Impacts are fully assessed in the EIA., Ref. Section 9.
9.	Impacts on European Sites, NHAs & SAC	Yes See 2. above	Yes See 2. Above	Yes Potential Impacts are fully assessed in the EIA and NIS, Ref. Section 6 of the EIAR, and Sections 5 and 6 of the NIS.
10.	Impact on roads	Yes Submitted Application TIA, and ABP Inspector's Report, Section 11.2.3.4 – 11.2.3.16	Yes Submitted TTA and ABP Inspector's Report, Section 7.3	Yes Potential Impacts are fully assessed in the EIA and TTA, Ref. Section 13 of the EIAR, and Sections 5, 6 and 7 of the Transport Assessment.
11.	Project splitting by this application [not identified in application 16/1229]	N/A	Yes The proposed development incorporates an extension and revision of 16/1229.An EIAR was prepared for both the proposed development and the previous development application (planning ref. 16/1229, ABP ref. PL09 .248582), in accordance with the relevant regulations and directives.	Yes The proposed development incorporates an extension and revision of 16/1229.An EIAR was prepared for both the proposed development and the previous development application (planning ref. 16/1229, ABP ref. PL09 .248582), in accordance with the relevant regulations and directives.

Notwithstanding having provided the above, and in respect of providing a brief, yet more comprehensive response to the planning issues raised, the following is highlighted:

1.1. ***Proposal is contrary to the proper planning and development of the area***

The proposed development fully conforms with the zoning of the lands wherein it is proposed to be located. The site of the proposed development is zoned for 'Industrial & Warehousing,' which has a land use zoning objective "to provide for industry, manufacturing, distribution and warehousing". The proposal is of an industrial nature, and will be located within an established industrial manufacturing facility. Furthermore, section 5 of the planning report accompanying the planning application for the proposed development submitted to Kildare County Council demonstrates that the proposed development fully complies with National, Region, County and Local policy and objectives.

1.2. ***Reference to EU Habitats and Seveso Directives and how such directives override National, Regional, County and Local guidelines and plans***

National, Regional, County and Local guidelines and plans which are applicable to the proposed development, adhere to, and take account of the requirements and provisions of both the Habitats Directive and Seveso Directive. Such guidelines and plans must comply with specific environmental procedures and requirements (i.e. AA and SEA) prior to being adopted, which in turn are in accordance with EU directives. The proposed development has taken account of such plans and their provisions, and is compliant with these, as is outlined in Sections 5 and 6 of the Planning Report submitted with the planning application documentation, as well as Section 2of the submitted EIAR.

1.3. ***Impacts on NHA's and SAC's (specifically refers to the Rye Water Valley/Carton SAC)***

Impact on protected sites are addressed within the Biodiversity section of the EIAR (Section 6), and also the Natura Impact Statement (Sections 5 and 6) prepared for the proposed development.

Mr. Reid's appeal states that *"A section of the Special Area of Conservation the Rye Water Valley Carton SAC has been removed along the western side of Kellystown Lane"* – Neither the Intel site boundary, nor the site boundary of the proposed development, extend to the western side of Kellystown Lane. We can however confirm that the NPWS amended and updated the digital boundaries in January 2019, and the boundary of the Rye water Valley/Carton SAC did change in some respects.

The changes were due to the formal designation of the SAC[1] and reprojection of the boundary to reflect the modern 1:5000 OSI map base in the Irish Transverse Mercator (ITM) projection. The 2019 revision has also added a section along the north bank in the area to the west of Kellystown Lane (please see the image in the appendix at the end of this document). The most recent SAC boundary was used in the NIS prepared for the proposed development.

1.4. ***Reference to the Seveso Directive***

[1] http://www.irishstatutebook.ie/eli/2018/si/494/made/en/pdf

Compliance with the Seveso Directive is addressed in the COMAH Land Use Planning Assessment Report (i.e. Seveso Report) prepared for the proposed development.

Intel is an Upper Tier Seveso establishment. This status enables Kildare County Council to provide for proper planning in and around the Intel campus, and prevent any incompatible uses with respect to its Seveso status. Intensification of use and associated risk concentration is considered a more desirable land-use planning strategy than dispersal.

Intel design their facilities such that any hazard sources are typically located away from site boundaries, within the central mass of the Intel site, and away from existing development outside of the site boundary. This is to ensure that the risk of any off-site impacts are minimised in the unlikely event of a potential loss of containment of hazardous material. It should be noted that Intel designs multiple levels of protection and monitoring devices into their material storage and handling systems, to ensure the risk of a loss of containment event is very low.

The possible major accident hazard sources have been fully assessed following the requirements of the Health and Safety Authority (HSA), using Quantitative Risk Assessment modelling software, and all risks have been shown to be within the site boundary. The COMAH Report (i.e. Seveso Report) formed part of the Planning Application documentation titled *COMAH Land Use Planning Assessment of Revised Design of Proposed Extension to Previously permitted Manufacturing Building at Intel Ireland Ltd.'*

1.5. ***Impacts to protected structures/ architectural and cultural heritage, and landscape in the area – specifically to major impacts on Protected Structures Hedsor House and its lands, Carton House and its lands, Collinstown House and its lands, Deey Bridge & Lock and Sandford Bridges***

Protected Structures and associated curtilage are addressed within the Cultural & Architectural Heritage (section 15), and the Landscape & Visual Impact (section 11) sections of the EIAR.

It should also be noted that within the context of the previous application (Ref.16/1229; ABP. PL09 .248582 - of which this application comprises an extension and revision, including reconfigured support buildings and infrastructure), the Board's Inspector noted within Section 8.2.11 of his report that "*There will be limited views of the proposed development from Hedsor House, protected structure, but the impact is considered insignificant*". Furthermore, in terms of architectural heritage, the Board's Inspector also notes in section 7.5.27 that "*I am satisfied that the proposed development will not detract from the architectural heritage of the area or unduly impact on the character, setting or views, to and from, any structure of architectural merit*".

Given that the scale and proximity of the proposed development to site boundary is similar to that assessed and permitted under ABP ref. PL09. 241071 (KCC planning ref. 12/435), it is also worth considering that the Board's Inspector outlined (Section 11.2.10.7 of his report) that "*the proposed development will not detract from the inherent architectural and historical character of Hedsor House*". In addition, section 11.2.10.8 of his report also states "*the*

proposed development will not result in such an undue adverse impact on the character, setting or views (to and from) these structures so as to warrant a refusal of permission".

1.6. ***Risk to health and safety***

In regard to the issue of health and safety, these are addressed within the COMAH Report[2] and section 5.4 (Human Health) of the EIAR. As already stated above in section 1.4, it should be noted that the proposed development is located within the specified area within the Intel boundary.

1.7. ***Air emissions from chemical processes***

The topic of air emissions is addressed in Section 9 (Air Quality and Climate) of the EIAR. Notwithstanding, it should be noted that the site operates, and will continue to operate, in compliance with the EPA Industrial Emissions Directive (IED) licence issued for the site.

As ABP will be aware, a site holding such a licence, can only be permitted to operate by the EPA if the EPA is satisfied that the emissions from the facility will not give rise to environmental pollution. The EPA sets emission limit values accordingly to ensure that the permitted emissions will not cause environmental pollution, and Intel Ireland will continue to comply with their EPA licence limit values.

1.8. ***Impact on Roads***

The impact of the proposed development on roads is addressed in the Traffic & Transportation section of the EIAR (Section 13), and also the Traffic and Transport Assessment (including Mobility Management Plan), and the Road Safety Audit submitted with the planning application for the proposed development.

As set out in EIAR Section 13.1.3, and in the Response to Item 2 and Item 5 of the Applicants' response to Kildare County Council's Request for Further Information, the transport strategy for the proposed development has been prepared in consultation with, and taking cognisance of the requirements of the Roads Authorities, being Kildare County Council and Transport Infrastructure Ireland, and the National Transport Authority. The proposed development includes specific measures, as set out in EIAR Section 13.2.3, which will improve the overall operational performance of the surrounding road network, while significantly improving facilities for walking, cycling and public transport.

The resulting impacts on the road network during construction and post completion of the proposed development, have been comprehensively assessed, as presented in EIAR, Section 13.4. As set out in the EIAR at Section 13.6, following completion of the proposed development, there will be a slight negative impact only on the operational performance of the surrounding road network, while there will be no significant change in the operational performance of the M4 Motorway.

[2] Full Title: COMAH Land Use Planning Assessment of Revised Design Proposed Extension to previously permitted manufacturing building at Intel Ireland Ltd - submitted as part of the planning application documentation.

1.9. ***Project Splitting***

The appeal from Mr. Reid outlines *"A major project splitting by this applicant"* (Not identified in application No. 16/1229). Project splitting largely refers to where a project is intentionally avoiding triggering the requirement of EIA by keeping it under the thresholds set out in the Planning and Development Regulations.[3] In this regard, an EIAR was prepared for both the proposed development and the previous development application (planning ref. 16/1229, ABP ref. PL09 .248582), in accordance with the Planning and Development Regulations, 2001 (as amended), and the requirements of the EIA Directive. The EIAR prepared for the proposed development has assessed the entire project, including the footprint of 16/1229 (to which this application comprises an extension and revision), and is therefore in compliance with the relevant regulations and directives.

2. Conclusion

The Appellant has highlighted a number of concerns in their appeal submission that we submit are unfounded, and which have been addressed in considerable detail in the supporting documents which accompanied the Planning Application, including a full EIAR, a Natura Impact Statement (NIS), a COMAH (Seveso) Report, the Planning Report, and previous planning applications and associated appeals.

There is considerable evidence within the Planning File that the grounds of the appeal have been considered in the report documentation submitted with the application.

The Intel site is also a site that operates under an EPA IED Licence. By virtue of the IED Licence, this site *is* monitored, and the ambient environment in the environs of the facility has been *continually* monitored for the last 20 years, approximately.

In summary, there has been no deterioration of the environment, and the ambient air quality monitoring data for the environs of the Intel site continues to demonstrate the site has no significant impact on ambient air quality. The air dispersion modelling study included in Chapter 9 of the EIAR also demonstrates the proposed development will have no significant impact on air quality.

In conclusion, it can be seen that the assessments comprising part of the planning application documentation have given full and proper consideration to the planning and environmental matters relevant to the area and the subject of the development proposal. There is considerable evidence on the file that the likely impacts and effects that may arise as a result of implementation of the proposed development, were given considerable scrutiny at all stages of the EIA and the RFI, and that appropriate mitigation measures have been proposed, where required. To summarise:

- The Intel facility has co-existed with its neighbours for more than 25 years, and have successfully implemented projects such as the subject proposed development.

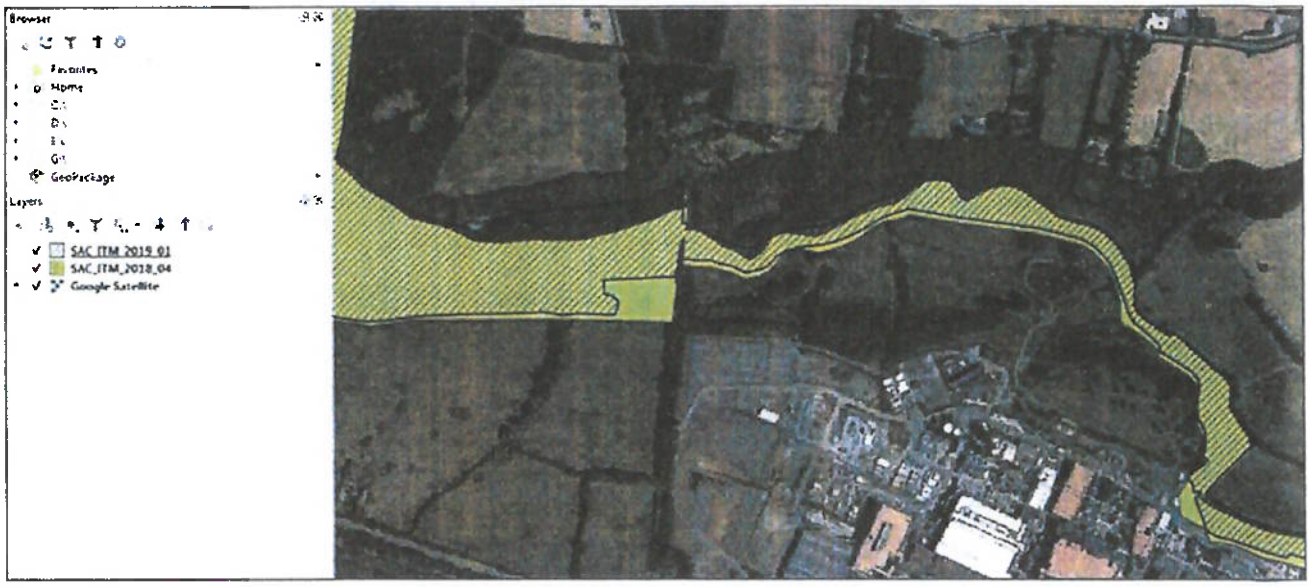
[3] *'The objective of the EIA Directive cannot be circumvented by the splitting of projects. Where several projects, taken together, may have significant effects on the environment within the meaning of Article 2(1), their environmental impact should be assessed as a whole. It is necessary to consider projects jointly in particular where they are connected, follow on from one another, or their environmental effects overlap.'* Case C-142/07 Ecologistas en Acción-CODA v Ayuntamiento de Madrid, 2008 (taken from P28 of the 2017 draft EPA Guidelines on the information to be contained in EIARs)

- It is located on lands that are *zoned* for 'Industrial and Warehousing' within the various statutory land use plans for the area, and has been used for large-scale inward investment and manufacturing, in accordance with planning and policy provisions at every level, from local to national and sectoral.
- The proposed development is consistent with the zoning of the land for Industrial development, and is an extension of long established and fully permitted large-scale manufacturing activities that have been operating in excess of 25 years on the site.
- The accompanying EIAR and other documents clearly demonstrate the impact of the proposal on the surrounding environs.

As the proposed development has been demonstrated to be in compliance with planning policies and objectives, and will not have a negative impact on the environment, character or amenity of the area, it is therefore considered to be in accordance with the proper planning and sustainable development of the area.

We thus respectfully request that An Bord Pleanála would uphold the decision to grant permission issued by Kildare County Council, and additionally, given that many of the issues identified in the appeal have already been assessed and addressed, not only in the subject application, but indeed in other similar such applications as noted in the introduction to this appeal response, that ABP undertake their assessment and consideration of the appeal in as short a timeframe as possible.

Appendix 1



The map above illustrates the former SAC boundary (green) against the updated Jan 2019 version (black hatch).

Attachment B

Site Visit: Contact Details & H&S Requirements

Document 3.

An Roinn Fiontar, Trádála agus Fostaíochta
Department of Enterprise, Trade and Employment

22 March 2023

Minister Coveney welcomes appointment of new CEO of IDA Ireland, Michael Lohan

Tuesday, 21 March 2023

The Minister for Enterprise, Trade and Employment Simon Coveney T.D. today welcomed the appointment of Michael Lohan as CEO of IDA Ireland. The appointment was announced by the Board of IDA Ireland.

Speaking today, **Minister Coveney said:**

"I congratulate Michael on his appointment as CEO of IDA Ireland. I look forward to working with him to sustain Ireland's success in winning and retaining investment and jobs in an increasingly competitive international environment. We must ensure that Ireland continues to attract and retain overseas investments and the jobs they provide and that our value proposition continues to be amongst the best in the world.

"IDA Ireland is recognised as a leading investment promotion agency, responsible for supporting

over 300,000 jobs in multinational companies across the country. The performance of our FDI sector has reached record levels, notwithstanding the current resetting by the tech sector, and I am looking forward to working with Michael and the IDA in maintaining Ireland's strong performance in attracting and retaining high-quality FDI.

"Our FDI sector is a central element of our economic model. IDA will play a leading role in implementing Government's policy on enterprise as set out in the recently published Government White Paper on Enterprise. Government is committed to ensuring that Ireland remains at the frontier of new technologies and sectoral development and realising the potential of our regions. IDA is working closely with the FDI sector on digital transformation, achieving our net-zero carbon commitments and developing our offshore wind industry.

"My Department and IDA will work hand-in-glove to maintain Ireland's strong performance in attracting high-quality mobile FDI to Ireland in such key sectors as ICT, Lifesciences, Financial Services and frontier manufacturing, as well as further embedding the many FDI companies already located here, built up over the seven decades of IDA's existence."

The Minister also joined IDA Chairman, Mr Frank Ryan, in thanking Mary Buckley for her leadership as Interim CEO of IDA Ireland over the past months.

NEWS

IDA Ireland names Lohan as its new CEO

Updated / Tuesday, 21 Mar 2023 16:55

Michael Lohan has been named as the new IDA Ireland CEO

IDA Ireland has appointed Michael Lohan as its new chief executive.

Mr Lohan is currently IDA Global Head of Life Sciences and Talent Transformation and Innovation Departments and is a member of its Executive Leadership team.

He will take up his new role on April 17 and succeeds Martin Shanahan who stepped down last year.

IDA Chairman Frank Ryan said that Mr Lohan was selected from a strong field of candidates, both internal and external, following a rigorous recruitment process.

"The board is confident that Michael has the required experience to lead IDA in the ongoing implementation of our current strategy and on the future development of the organisation," Mr Ryan said.

"He will continue to lead IDA in the attraction of foreign direct investment to Ireland and the winning of investments for regional locations," he added.

IDA Ireland has enjoyed strong results over the last number of years, despite the challenges brought by the difficult global economic environment.

There are now over 300,000 people working for about 1,800 foreign companies based in Ireland, the highest level ever recorded.

Mary Buckley will continue as Interim CEO until April 16, at which time she will revert to her role as Executive Director, IDA Ireland.

Michael Lohan took up his current role at IDA Ireland as Global Head of Life Sciences Division and Talent Transformation and Innovation Department and Executive Team member in 2017.

Mr Lohan is a board member with Digital Manufacturing Ireland, a governance member on the SSPC research centre for pharmaceuticals and previously worked with the Irish Medical Association - the business association within Ibec representing the medical devices and diagnostics sector.

He is also an Advisory Board member for the Disruptive Technology Innovation Fund.

Mr Lohan joined IDA Ireland in 2003 from the private sector where he held a number of different management positions including responsibility for New Business Solutions with Nortel's European Operations in Galway and a management role with IEC Electronics European Operations.

He holds an MSc in Technology Management and is a graduate of the Berkley Executive Programme.

Minister for Enterprise, Trade and Employment Simon Coveney said he was looking forward to working with the new IDA CEO to sustain Ireland's success in winning and retaining investment and jobs in an increasingly competitive international environment.

"We must ensure that Ireland continues to attract and retain overseas investments and the jobs they provide and that our value proposition continues to be amongst the best in the world," Mr Coveney said.

The Minister said that IDA Ireland is recognised as a leading investment promotion agency, responsible for supporting over 300,000 jobs in multinational companies across the country.

"The performance of our FDI sector has reached record levels, notwithstanding the current

resetting by the tech sector, and I am looking forward to working with Michael and the IDA in maintaining Ireland's strong performance in attracting and retaining high-quality FDI," he said.

"My Department and IDA will work hand-in-glove to maintain Ireland's strong performance in attracting high-quality mobile FDI to Ireland in such key sectors as ICT, Lifesciences, Financial Services and frontier manufacturing, as well as further embedding the many FDI companies already located here, built up over the seven decades of IDA's existence," he added.

Ibec chief executive, Danny McCoy, said Mr Lohan's extensive work to date has played a central role in the country's standout success in developing strong clusters in life sciences, technology, food and drink.

"His experience and insights will be key to supporting Ireland's continued economic success," he said.

"We look forward to working with him and colleagues in delivering our shared ambition of establishing the conditions that can best support homegrown and multi-national companies in continuing their growth trajectory amidst an increasingly competitive international landscape. We wish him every success."