



An
Bord
Pleanála

Inspector's Report ABP -301172-18

Development	Request to alter previously approved 220 kV substation compound and associated loop-in connection to the existing Corduff-Woodland No.1 220kV at Clonee Co. Meath (Planning Application Ref. No. 17.VA0018).
Location	Portan Clonee Co. Meath.
Planning Authority	Meath Co Council.
Applicant	Runways Information Services Ltd.
Type of Application	Section 146B
Planning Authority Decision	N/A.
Date of Site Inspection	Not Inspected
Inspector	Paul Caprani.

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1.0 Introduction and Background

This report concerns a request from Runaways Information Services that the Board exercise its powers under section 146B of the Planning and Development Acts 2000, as amended, to alter the terms of an Approval made under Section 182A of the Planning and Development Act in respect of a 220 kV Sub-station at Portan Clonee Co. Meath. On October 22nd 2015 The Board approved under Reg. Ref. PL17. VA 0018 the construction of a new 220 kV Compound and associated loop-in connection to the existing Corduff-Woodland no.1 line. The sub-station is proposed primarily to serve the proposed Facebook Data Centre which is currently under construction and was granted by Meath Co Council. The decision of Meath Co Council was the subject of a 3rd party appeal and the decision to grant permission was upheld by The Board under Reg. Ref. PL 17.245347.

2.0 Extant Permission

- 2.1. Two separate applications were submitted and normal planning application and appeal under PL17.245347 for the Data Centre and a separate application under PL17.VA 0018 for a sub-station primarily to serve the Data Centre. The latter application was deemed to qualify as Strategic Infrastructure Development in accordance with S.182(A) of the Act

The 220kV transmission substation primarily consisted of:

- Outdoor Air Insulated Switchgear (AIS) equipment rated for the system voltage of 220kV equipped twelve 220kV bays;
- 27 no. lightning protection masts (height 30 metres);
- 3 no. oil-filled step-down power transformers positioned within bunded enclosures;
- 3 no. single storey buildings including a control building with ancillary services, diesel generator building and a customer Medium Voltage (MV) building incorporating ancillary services and customer backup diesel generator;
- Internal access roads;
- Enclosed by a 2.6 metre tall palisade fence;

Outside the substation compound it is proposed to construct a c.1.1 km long access road to link up with the Kilbride Road further west.

The customer substation is to be developed specifically to distribute power to the adjacent Data Centres (three separate buildings). It will, when completed, consist of three oil filled step down power transformers positioned within banded enclosures together with an associated outdoor air insulated switch gear rated for the system voltage of 220kV. Ancillary services and a back-up diesel generator for the customer substation will also be provided. The 220kV cables to serve the Data Centre would be located underground and routed from the proposed MV building.

3.0 Legislative Provisions

Section 146B(1) of the Planning and Development Act 2000, as amended, provides that a person who is intending to carry out a strategic infrastructure development may request the Board to alter the terms of the subject approved development.

Section 146B(2) requires the Board to decide (under 146B(3)) whether or not the making of the said proposed alteration would constitute the making of a material alteration of the terms of the development concerned. The Board may invite submissions prior to making this decision (146B(2)(b)). If it decides under 146B(3)(a) that it would not be a material alteration, then it must alter the approval accordingly. If it determines under 146B(3)(b) that it would constitute a material alteration of the terms of the development, before making that determination the Board must first determine, under 146B(4) whether the requested alteration, or any alteration the Board may be considering under 3(b)(ii), would be likely to have significant effects on the environment. Under 143B(3)(b) the Board shall determine whether to (i) make the alteration, (ii) make a different alteration (not being one that would represent a more significant change to the terms of the development) or (iii) refuse to make the alteration. Public consultation procedures under 146B(8) apply in the case of 146B(3)(b) and 146B(4).

Where it is determined under 146B(4)(i) or (ii) that significant effects on the environment *are not likely*, the Board shall alter the approval accordingly. Where it is determined under 146B(4)(i) or (ii) that significant effects on the environment *are likely* the provisions of 146C apply and the Board shall require the requester to

prepare an EIS and to publish notices regarding statutory public consultation, after which period that Board may determine the matter under section 146B(3)(b) having regard to various matters set out in section 146C(6).

4.0 Site Location and Description

- 4.1. The entire site, (both the data centre and the sub-station amounting to 92 Ha) is located on the northern side of the M3 motorway adjacent to the Junction 4 (Clonee) intersection. A local slip road (R147) leading to the N3 runs along the southern boundary of the overall site. The Kilbride Road (L5028) runs along the western boundary of the entire site and it is from this local road that access to the site is to be provided. The substation is located at its closest point approximately 700 metres from the Kilbride Road. A Kepak processing factory is located to the south of the entire landholding accessing onto the R147.
- 4.2. The Damastown Industrial Estate lies in closer proximity to the substation. At its closest point (as the crow flies) the industrial estate is located approximately c.150 metres to the east of the substation. The Damastown Industrial Estate is within the administrative area of Fingal Co. Council. There is no direct road access between the application site and the industrial estate. The various enterprises located within the industrial estate include pharmaceutical industries, meat processing industries and technology/engineering facilities. Two Seveso Sites are located within the Damastown Industrial Estate (Mallinckrodt Medical Imaging and Astellas Ireland Co. Ltd) approximately 1,000 meters from the proposed substation.
- 4.3. The proposed substation, which is currently under construction, is located within a c.7 ha rectangular plot of land to the rear of the overall site. The substation site occupies the site of two former agricultural fields.

5.0 The Request

The applicant seeks to amend the terms of the approval to allow the following modifications to the development which relate solely to the following switchgear elements –

- Outdoor Air Insulated Switchgear (AIS) equipment rated for the system voltage of 220 kilovolts which will connect to previously consented transformer to provide neutral earth switching facility.
- Outdoor AIS equipment rated for a system voltage of 200 kilovolts equipped in 3 no. 220 kilovolt bays: the equipment will connect to the already consented 220 kV busbar and also includes provision for associated neutral earth switching requirement: and
- Associated site works

5.1. Information submitted with the application sets out the rationale for the proposed changes. The requirement for the neutral earth switchgear is predicated on a change of Eirgrid requirements in respect of the substation. This equipment is now needed to enable energisation of the second phase of the substation which will feed into the applicants third data centre building.

5.2. The equipping of the 3 no. 220-kilovolt bays is required to reduce construction activity and potential transmission outages that could result from future development. It reduces the probability of loss of supply to the data centre facility. It will also reduce health and safety risks associated with working in an energised high voltage environment and will facilitate easier future connections.

6.0 **Application Submitted**

6.1. The application to alter the existing approval was submitted on March 9th 2018. It was accompanied by an application form and a Planning Support Statement. The report sets details of the site, the scheme approved and the need for the proposed amendments. It also sets out the legislative context and the extent of the environmental impact arising from the changes. The report also assesses whether the proposed changes will impact on any of the conditions attached under the original approval under PL 17.VA0018. Overall the report concludes that there will be no material impact arising from the changes proposed.

7.0 Assessment

- 7.1. The approved development under VA0018 (and the adjoining Data Centre granted under PL17. 245347) were both accompanied by EIS's, The Board granted approval without significant alteration to the original submitted design.
- 7.2. The proposed alterations in this instance relates solely to the substation. It involves the provision of additional electrical apparatus comprising of outdoor air insulated switchgear, including transformers, surge arresters, insulators and circuit breakers. It is in my view, from a visual perspective, indistinguishable from the existing apparatus and equipment already granted as part of the approval. It will not, according to the drawing submitted, result in development which will alter the overall scale massing and height of the existing electrical apparatus within the sub-station. The proposed elements under the current amendment are very similar in size and height and the elements permitted under PL 17. VA0018. The sub-station is sufficiently set back from Damastown Drive to ensure that no material visual impacts arise. Page 11 of the Planning Report submitted with the amendment application contains two photomontages showing the changes in the configuration of the sub-station arising from the amendments (highlighted in yellow). While the vantage point is some distance from the sub-station, it is nonetheless clear that the proposed amendments will not result in any material alteration in the visual appearance of the substation. The nature of the proposed equipment will result in a development which will visually integrate with the existing equipment at the substation as it is of a similar nature and scale.
- 7.3. In terms of transport, the alterations will undoubtedly give rise to some alterations in trip generation during the construction phase only. Again, the impacts will be negligible and will not be material in nature. The amendments will not result in any traffic impacts during the operational phase.
- 7.4. The drawings indicate that all proposed amendments will take place within the existing sub-station compound and upon the hardstanding area granted as part of the compound. The proposal will not result in any further encroachment into greenfield areas. As a result, it can only be concluded that the proposed amendments will have no impact on ecology and biodiversity in the area. Nor for the same reason will it impact on the soils, geology or hydrogeology of the area. The

sub-station is in excess of 8km from the nearest Natura 2000 site, as such it cannot be asserted that the nature of the proposed amendments will in anyway impact on any features of interest/qualifying interests associated with the Natura 2000 sites in the wider area.

- 7.5. The fact that the proposed alterations are confined to within the existing footprint of the substation, will ensure that no new ground will be disturbed as a result of the proposed development. As the planning report submitted with the application for the proposed amendments points out, no amendments are proposed in areas which have not already been assessed in the Cultural Heritage section of the EIS submitted with the original application.
- 7.6. No anticipated changes will result in terms of air and climate or micro-climate as the proposed amendments are of such a minor nature so as not to materially affect these issues. The amendments will not give rise to any issues in terms of waste generation. It is possible that the construction of the Outdoor Air Insulated Switchgear (AIS) equipment, could give rise to some additional noise generation during the construction phase, this however the anticipated additional noise impact is likely to be negligible, when taken in conjunction with other construction work on site and ambient noise levels in the wider area. The impact cannot be considered to be material in nature.
- 7.7. As the proposal does not involve any alteration to the footprint of the sub-station as granted, the proposal will have no material impact on surface water drainage arrangements. The minor nature of the alterations will likewise have no impact on the socio-economic environment arising from the development

8.0 Appropriate Assessment

- 8.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Conclusions and Recommendation

Arising from my assessment above, I recommend that the Board make a determination in respect of the alterations sought under Section 146B(3)(a) of the Planning and Development Act, 2000, as amended that the making of the alterations to which this request relates would not constitute a material alteration to the terms of the development concerned on the basis of the draft order set out below.

WHEREAS the Board issued a decision to approve subject to conditions the development under Reg. Ref. PL17. VA0018 by order dated October 22nd 2015

AND WHEREAS the Board has received a request to alter the terms of the development the subject of the approval.

AND WHEREAS having regard to the nature of the issues involved, the Board decided in accordance with Section 146B(2)(b) of the Planning and Development Act, 2000, as amended, not to invite submissions or observations in relation to the matter from persons who had made submissions and observations in relation to the application the subject of this alteration.

AND WHEREAS the Board decided in accordance with Section 146B(2)(a) of the Planning and Development Act, 2000, as amended, that the proposed alterations would not result in any material alteration to the terms of the development, the subject of permission.

AND WHEREAS having considered all documents on file and the Inspector's Report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or in any European site.

NOW THEREFORE in accordance with Section 146B(3)(b) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above mentioned decision so that the approved development shall be carried out in accordance with the plans and particulars lodged with An Bord Pleanála on the March 9th 2018.

10.0 **Matters Considered**

In making its decision the Board has regard to those matters to which by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions or observations received by it in accordance with statutory provisions.

11.0 **Reasons and Considerations**

Having regard to the nature, scale and location of the proposed development, the documentation submitted with the request and the report of the Inspector, the Board considered that the requested alterations would be of a minor nature, by reason of the nature, extent in the context of the development as a whole being a major industrial development. The proposed alterations would therefore not be material in terms of the proper planning and sustainable development of the area.

Paul Caprani

Senior Planning Inspector

6th April 2018