



An
Bord
Pleanála

Inspector's Report ABP 301430-18

Development

A 110kV air insulated switchgear (AIS) substation and a 220kV gas insulated switchgear (GIS) substation and underground double circuit 110kV/220kV transmission line from the proposed substations to the existing Corduff 110kV and 220kV substation.

Location

Lands off Cruiserath Road, Dublin 15

Prospective Applicant

Amazon Data Services Ireland Ltd.
(ADSIL)

Planning Authority

Fingal County Council

Inspector

Pauline Fitzpatrick

1.0 Pre-Application Consultation

- 1.1. The Board received a request on the 13th April 2018 from John Spain and Associates on behalf of Amazon Data Services Ireland Ltd. to enter pre-application consultations under Section 182E of the Planning and Development Act 2000, as amended, in relation to the proposed development on lands off Cruiserath Road, Dublin 15.
- 1.2. The Board's representatives met with the prospective applicant on the 24th August, 2018.
- 1.3. The prospective applicant formally requested closure of the pre-application consultation process in correspondence received on the 22nd July, 2019.

2.0 Site location

The site in question which forms part of a larger holding in Dublin 15. It is bounded to the south by the R121/Cruiserath Road and to the west by the R121/Church Road. Undeveloped land and the Hollywood Road bound the site to the north with existing industrial development to the east.

The general area is characterised by a mix of commercial and industrial uses with the lands to the west of the site in residential use. The existing Corduff 110kV/220kV substation is c. 1km to the north-east.

The site is relatively level and currently undeveloped. Permission has been granted for a data centre immediately to the south under ref. PL06F.248544 (FW17A/0025).

3.0 Proposed Development

The purpose of the substation is to provide power to the data centre permitted under ref. PL06F.248544 (FW17A/0025).

Original Proposal

As per the details originally lodged with the pre-application consultation request in 2018 the proposal entailed a substation development in 2 phases as follows:

Phase 1 – temporary 110kV AIS substation, control building and transformer bay. Provision of underground double circuit 110kV/220kV transmission line to Corduff 110kV and 220kV substation. During this phase the cable will operate at 110kV.

Phase 2 – replacement of the temporary 110kV substation with a 220kV GIS substation, construction of 4 no. transformer bays and removal of temporary control building and transformer bay. The underground double circuit 110kV/220kV transmission line will be switched to operate at 220kV.

The plans and details accompanying the request detailed three route options for the underground cable, two along the road network bounding the site and the 3rd through 3rd party lands.

Amended Proposal

As per the details submitted on the 22nd July 2019 the proposed development has been amended to remove the temporary 110kV (Phase 1) element of the scheme. The development will connect directly at a voltage of 220kV.

It is also proposed to include the Eirgrid Cablebays at the Corduff substation within the development. This is on the basis that it has been agreed with Eirgrid that the substation-cable-cablebays form part of the same project and should be included in the same application for consent.

The amended proposal identifies and makes minor alterations to the preferred underground cable route through 3rd party lands. A letter of consent from the said landowner will accompany any future application.

I submit that the alterations as set out above do not materially alter the pre-application request.

4.0 Planning History

PL06F.248544 (FW17A/0025) – permission granted for a data storage facility and associated development immediately to the south.

A substation was initially included in the planning application. Condition 2 of the Board's order states that the permission does not authorise the provision of any grid connection or the provision of the 22kV substation.

5.0 Applicant's Case

The proposed 110kV substation and cable are considered to be Strategic Infrastructure on the following grounds:

- The proposal will form part of the transmission network.
- The asset owner of the proposed development will be ESBN.

6.0 Eirgrid Correspondence

In response to a request from the Board dated 3rd July 2018 seeking its comments on the proposed development a response was received 6th July 2018 which notes that the proposal comprises a double circuit between a proposed substation and the existing Corduff 110kV and 220kV substation. This circuit is classed as a 'loop in – loop out' configuration and therefore forms part of the transmission network.

7.0 Legislative Provisions

Under section 182A (1) of the 2000 Act (inserted by section 4 of the 2006 Act) where a person, (thereafter referred to as the 'undertaker') intends to carry out development comprising or for the purposes of electricity transmission, (hereafter referred to in this section and section 182B as 'proposed development'), the undertaker shall prepare, or cause to be prepared, an application for approval of development under section 182B and shall apply to the Board for such approval accordingly.

Subsection 9 states that in this section 'transmission' in relation to electricity, shall be construed in accordance with section 2(1) of the Electricity Regulation Act 1999 but, for the purposes of this section, the foregoing expression, in relation to electricity, shall also be construed as meaning the transport of electricity by means of

- (a) a high voltage line where the voltage would be 110 kilovolts or more, or
- (b) an interconnector, whether ownership of the interconnector will be vested in the undertaker or not.

In section 2(1) of the Electricity Regulation Act, 1999, "transmission" is defined as

the transport of electricity by means of a transmission system, that is to say a system which consists, wholly or mainly, of high voltage lines and electric plant and which is used for conveying electricity from a generating station to a substation, from one generating station to another, from one substation to another or to or from any interconnector or to final customers but shall not include any such lines which the Board may, from time to time, with the approval of the Commission, specify as being part of the distribution system but shall include any interconnector owned by the Board.

“Distribution” is defined as

“The transport of electricity by means of a distribution system, that is to say, a system which consists of electric lines, electric plant, transformers and switch gear and which is used for conveying electricity to final customers.”

“Electric plant” is defined as:

“any plant, apparatus or appliance used for, or for the purposes connected with, the generation, transmission, distribution or supply of electricity other than –

(a) An electric line

8.0 Assessment

The proposal, as amended, entails a new 220kV substation and cable connection to the Corduff 110kV/220kV substation which is c. 1km to the north-east of the subject site to serve the data storage facility granted permission under ref. PL06F.248544 (FW17A/0025). I consider that the substation constitutes electric plant as defined above in that it is plant for the purposes connected with the generation of electricity.

Section 182A (9) of the Act sets a threshold of 110kV in order for a high voltage electricity transmission line to be considered strategic infrastructure. No threshold is set in respect of a substation.

The proposal comprises a double circuit between the proposed substation and the existing Corduff 110kV/220kV substation. This circuit is classed as a ‘loop in – loop out’ configuration and therefore forms part of the transmission network. As such the power of the overall existing circuit will be entirely into the substation and back out again. In effect the substation will form a new node along that existing circuit.

Therefore, the new substation and associated underground cable will form part of the existing transmission network. Eirgrid's submission is clear in this regard.

I conclude that the substation, in forming such a node on the 220kV transmission network, constitutes Strategic Infrastructure.

The Board will note previous decisions it has made on strategic infrastructure pre-application consultation requests in relation to electricity transmission infrastructure under Section 182E. In cases VC0032 at Finnstown Co.Dublin, VC0039 at Millstreet, Co. Cork, VC0041 at Trian, Co. Kerry, VC0042 at Tarbert, Co.Kerry, VC0046 at Ballynahulla, Co. Kerry, VC0058 Dublin North Fringe Area, VC0088 at Grangecastle Dublin, VC0091 at Athenry, Co Galway and ABP 301188 - 18 at Clonee, Co. Meath, the Board determined that the provision of a new 220kV substation which is to be looped into the existing transmission network constitutes Strategic Infrastructure.

I consider that the subject case is comparable.

My inspection of the site and vicinity did not reveal any significant matters which might be relevant to the consideration of this application in the future by the Board.

I note that the prospective applicant in the meeting with Board representatives on the 24/08/18 advised that it had received legal advice that an EIAR is required for the proposed development.

9.0 Prescribed Bodies

In view of the scale, nature and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix in respect of any future application for approval.

10.0 Conclusion

I consider that the proposed development as described in the submissions and drawings constitutes strategic infrastructure coming within the scope of section 182A

of the Planning and Development Act 2000, as amended, necessitating an application direct to the Board.

11.0 Recommendation

I recommend that Amazon Data Services Ireland Ltd. be informed that the proposed development consisting of a 220kV substation and underground double circuit transmission line on lands off Cruiserath Road Dublin 15 and cablebays in the 110kV/220kV Corduff substation as set out in the plans and particular received by An Bord Pleanala on the 13th day of April, 2018 as amended by the plans and particulars received by An Bord Pleanala on the 22nd day of July, 2019, falls within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application should be made directly to the Board.

Pauline Fitzpatrick
Senior Planning Inspector

August, 2019

Appendix 1

The following is a schedule of prescribed bodies considered relevant in this instance for the purposes of Section 182A(4)(b) of the Act.

Minister for Housing, Planning and Local Government

Minister for Communications, Climate Action and Environment

Department of Culture, Heritage and the Gaeltacht

Fingal County Council

Transport Infrastructure Ireland

An Chomhairle Ealaíon

Failte Ireland

An Taisce

Heritage Council

Commission for Regulation of Utilities, Water and Energy

Health Service Executive