



An  
Bord  
Pleanála

## Inspector's Report ABP-307437-20

### Development

110kV GIS Substation, 4 no. transformers and client control building within a fenced compound, a 49kVa electrical supply to 110kV GIS substation, 2 no. dropdown 110kV transmission lines connecting to existing 110kV overhead transmission lines traversing the subject site and all associated and ancillary development.

### Location

Lands at Drogheda IDA Business and Technology Park, Donore Road, Drogheda, Co. Meath.

### Planning Authority

Meath County Council

### Type of Application

Pre-application consultation

### Prospective Applicant

CAP Developments LLC

### Date of Site Inspection

9<sup>th</sup> August 2020

### Inspector

Donal Donnelly

## 1.0 Introduction

- 1.1. The Board received a request on 24<sup>th</sup> June 2020 from prospective applicant, CAP Developments LLC to enter into a pre-application consultation under Section 182E of the Planning and Development Act, 2000, as amended in relation to a proposed 110kV substation and associated infrastructure at Drogheda IDA Business and Technology Park, Donore Road, Drogheda, Co. Meath. The proposed substation is to support the power demand of a permitted data storage facility and to serve the power needs of the potential future development of the overall landholding of 18.7 hectares at the business and technology park.
- 1.2. A consultation meeting was subsequently held between An Bord Pleanála and the prospective applicant on 11<sup>th</sup> August 2020. The prospective applicant formally requested closure of the pre-application consultation process by written correspondence received by the Board on 16<sup>th</sup> September 2020.
- 1.3. The primary purpose of pre-application consultation meeting was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006, and to consider matters relating to the proper planning and sustainable development of the area or the environment which may have a bearing on the Board's decision, and the procedures involved in making the application.
- 1.4. This Report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board, the legislative provisions, and a recommended list of Prescribed Bodies that should be forwarded copies of the application.

## 2.0 Site Location

- 2.1. The site of the proposed development is at the IDA Business and Technology Park on Donore Road to the south-west of Drogheda, Co. Meath. The business and technology park adjoins Junction 9 of the M1 Motorway in the townland of Rathmullan. Drogheda Retail Park is opposite the site on the southern side of Donore Road.

- 2.2. At the time of the site visit, construction works were ongoing for a new data storage facility at the southern end of the business and technology park (reg. ref: LB/191735). This development includes permitted loop roads around the data storage facility building and to the location of the proposed substation at the northern end of the business and technology park.
- 2.3. The subject site has a stated area of 3.43 hectares. The main part of the site is rectangular shaped and there is a dog leg strip to the east for permitted road links and a proposed local electricity supply. The western boundary of the site comprises mature planting along the motorway. An existing 110kV overhead line is situated on a north-south alignment along the western boundary of the site. There is also an underground line wayleave along the south-western boundary of the landholding.

### **3.0 Proposed development**

- 3.1. The proposed development would comprise the provision of the following:
1. 110kV GIS substation,
  2. 4 no. transformers and client control building within a fenced compound,
  3. 49kVa electrical supply to the 110kV GIS substation,
  4. 2 no. dropdown 110kV transmission lines connecting to existing 110kV overhead transmission lines traversing the subject site,
  5. All associated ancillary development.
- 3.2. The proposed substation would be looped into the 110kV overhead line immediately to the west of the site. The loop in connection will be facilitated by two cable interface masts with heights of 17m. The substation will have separate customer and Eirgrid compounds.

### **4.0 Planning History**

Meath County Council Reg. Ref: LB/191735

- 4.1. Permission granted on 31<sup>st</sup> March 2020 for development described as follows:

- Alterations to existing road infrastructure within the site and clearance of the site (including removal of existing internal roadways and removal of diversion of services) to make way for the proposed development.
- Construction of 2-storey data storage building with maximum overall height of c. 25m, containing data halls, associated electrical and AHU plant rooms, a loading bay, maintenance and storage space, office administration areas, screened plant and solar panels at roof level, all within a building with a total floor area of c. 28,573 sq.m.
- Emergency generators (26 no.), emission stacks and associated plant provided in a fenced compound adjacent to data storage facility, along with a single emergency house supply generator.
- A 6MVA substation and associated 6MVA electricity connection.
- A water sprinkler pump room, MV building, unit substation, water storage tanks, humidifier tanks and diesel tanks and filling area.
- Modifications to existing entrance to subject site (from the estate road to the east), which will function as a secondary entrance providing for emergency and construction access. A new main entrance and access control point to the lands is proposed and a single storey gate house/ security building.
- Construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces and 26 no. cycle parking spaces within a bicycle shelter,
- Landscaping and planting (including the provision of an additional planted berm to the northern boundary, and alterations to existing landscaping adjacent to the entrance to the Business and Technology Park), boundary treatments, lighting, security fencing, bollards and camera poles, bin store, and all associated site works including underground foul and storm water drainage network, attenuation areas, and utility cables, on an existing site area measuring 19.46 hectares.

## 5.0 Planning Precedent

An Bord Pleanála Ref: ABP-300793-18

- 5.1. The Board decided that an underground double circuit 110kV transmission line between the existing Belcamp 220kV and 110kV substation to the permitted Darndale 110kV substation to serve an Amazon data centre and surrounding area at Clonshaugh Business and Technology Park, Dublin 17 is Strategic Infrastructure.

An Bord Pleanála Ref: ABP-301188-18

- 5.2. The Board decided that a 220kV substation and underground cables connecting to a previously consented 220kV substation and loop-in system to serve the Facebook data centre at Clonee, Co. Meath is Strategic Infrastructure.

An Bord Pleanála Ref: ABP-303412-19

- 5.3. The Board decided that a 220 kV electricity substation, 2 no. 220 KV circuits forming a loop-in/loop out to the existing Maynooth-Woodland 220 kV Overhead Line and 3 no. 220 kV circuits connecting the proposed substation to electricity transformers is Strategic Infrastructure. This proposal was to serve the electricity demands of the Intel facility at Leixlip, Co. Kildare.

An Bord Pleanála Ref: ABP-305657-19

- 5.4. The Board decided that a substation and associated grid connection at Bracetown, Gunnocks, to the north of Clonee, Co. Meath to serve a data centre is Strategic Infrastructure.

An Bord Pleanála Ref: ABP-307074-20

- 5.5. The Board decided that the construction of a 110kV GIS substation and associated grid connection works to connect to the Castlebaggot substation on lands in the Grange Castle Business Park South to serve a data centre development is Strategic Infrastructure.

An Bord Pleanála Ref: ABP-307360-20

- 5.6. The Board decided that the construction of a 110kV GIS substation, 4 no. transformer bays, associated compounds and site infrastructure on lands in the Grange Castle Business Park South to serve a data centre development is strategic infrastructure.

## 6.0 Prospective applicant's case

- 6.1. The prospective applicant's case is that the proposed development will form part of the electricity transmission network upon completion and therefore constitutes a Strategic Infrastructure Development (SID) under Section 182A of the Planning and Development Act, 2000 (as amended)
- 6.2. The key elements of the Applicant's submission are summarised as follows:
- Proposed development is to be delivered on a contestable basis – developer responsible for design, construction and pre-commissioning and once energised, the proposed 110kV GIS substation and the dropdown connection masts, droppers, and underground transmission lines connecting to the proposed substation will form part of the ESB Networks infrastructure which Eirgrid will be responsible for operating.
  - Proposed development will convey electricity between the existing 110kV overhead transmission line and the proposed 110kV GIS substation – this infrastructure has not been specified as part of the distribution system by ESB Networks and has not been approved as such by the Commission for Regulation of Utilities. Proposed development is therefore consistent with the definition of 'transmission' as set out under S. 2(1) of the Electricity Regulation Act.
  - Dropdown transmission lines and proposed GIS substation will have a voltage of 110kV. Proposed development is therefore consistent with the definition of 'transmission' as set out under Section 182A(9) of the Planning and Development Act, 2000 (as amended).
  - Proposed development will be handed over to Eirgrid and final commissioning and energisation of proposed 110kV substation and associated dropdown transmission line will be carried out in conjunction with ESB Networks.

## 7.0 Pre-Application Consultations

- 7.1. A pre-application consultation meeting was held online on 11<sup>th</sup> August 2020. Full details of the meeting and matters raised are contained in the Board's Record.

7.2. The prospective applicant gave an overview of the case that included details on site location and context; planning context; the permitted data storage facility (Reg. Ref: LB/191735); and details of the proposed development including presentation of pre-application drawings. The following matters were discussed after the presentation:

- Prospective applicant was advised that all existing and proposed pylons in the vicinity of the proposed development should be shown on contextual elevations and clearly labelled.
- Location of proposed masts possibly within 'F1' open space zoning needs to be clearly illustrated and justified. Open space forms part of the buffer between motorway and IDA Business and Technology Park and does not contain any pathways or tracks.
- There may be potential for future connection between any housing development to the north and Drogheda Retail Park to the south. Recently granted Strategic Housing Development included 6 hectares of landscaped open space adjacent the River Boyne and motorway frontages.
- Visual impact of proposed tower structures - prospective applicant aware of how sensitive the area is in relation to the River Boyne. Existing tree lines are being left in place and reinforced behind with additional mounding and landscaping.
- Prospective applicant confirmed that an initial bat survey was carried out for the data storage facility application and it is intended to carry out further surveys. Mitigation in the form of bat sensitive lighting will be put in place.
- Prospective applicant confirmed that Eirgrid have requested 8 bay GIS system, 6 of which are linked to 2 in and 4 out for data centre and 2 to be included as part of any future developments, possibly on lands to the north and south.
- Prospective applicant intends to carry out Appropriate Assessment screening and Board's representatives advised that the exact reasons as to why the proposed development can be screened out need to be very clear, and to ensure that a robust screening report is submitted.

## 8.0 Legislative provisions

8.1. Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires that where a person (referred to as the ‘undertaker’) intends to carry out development comprising or for the purposes of electricity transmission, the undertaker shall prepare an application for approval of the development to the Board.

8.2. Section 182A(9) of the Act states that ‘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.

8.3. Section 2(1) of the Electricity Regulation Act, 1999 defines transmission as follows:

*“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, 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.”*

8.4. Electric plant is defined as follows:

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

- (a) an electric line,*
- (b) A meter used for ascertaining the quantity of electricity supplied to any premises, or*
- (c) an electrical appliance under the control of the consumer.*



## 9.0 Assessment

### 9.1. Strategic Infrastructure

- 9.1.1. The proposed development comprises a new 110kV GIS substation and two dropdown 110kV transmission lines connecting to the existing 110kV overhead transmission lines traversing the subject site. The purpose of the proposal is to support the power demand of a permitted data storage facility and to serve the power needs for future development at the site. Unlike substations for windfarm or solar farm developments which allow for electricity generated by these facilities to be fed into the national grid, the proposed development will effectively be taking from, and not adding to, network capacity.
- 9.1.2. Under Section 182A of the Planning and Development Act, 2000 (as amended), an undertaker shall apply to the Board for approval of a development comprising or for the purposes of energy transmission. Section 182A(9) states that *'transmission'* shall be construed in accordance with Section 2(1) of the Electricity Regulation Act, 1999 and shall also be construed as meaning *inter alia* the transport of electricity by means of a high voltage line where the voltage would be 110kV or more.
- 9.1.3. Section 2(1) of the Electricity Act defines the transmission system as wholly or mainly high voltage lines and electrical plant for conveying electricity. I consider that the proposed substation constitutes *'electrical plant'* as *"any plant, apparatus or appliance used for, or for purposes connected with, the generation, transmission, distribution or supply of electricity..."*.
- 9.1.4. There is no threshold under Section 182A(9) of the Planning and Development Act, 2000 (as amended) in respect of a substation. However, the proposal includes 110kV dropdown lines from the existing 110kV overhead transmission lines, and once energised, the substation and dropdown lines will form part of ESB Network infrastructure. The proposed 110kV GIS substation and the provision of transmission lines between the proposed substation and the existing transmission infrastructure will essentially see power in the transmission line being diverted into the substation and back out again, thereby forming a node on the transmission system. This, in my opinion, constitutes Strategic Infrastructure. It should be noted that the applicant has stated that the proposed development is designed to support

the power demands of the data storage facility as well as the power needs of potential future development on the overall landholding at the business and technology park.

- 9.1.5. The Board will note previous decisions on pre-application consultation requests in relation to electricity transmission infrastructure under Section 182E where it was determined that the provision of a 110kV substation and associated 110kV cabling acting as a node on the transmission system constitutes Strategic Infrastructure. Most recently, the Board decided that the construction of a 110kV substation and associated 110kV underground cabling to serve a data centre at Grange Castle Business Park, Dublin 22 is strategic infrastructure, (ABP-307074-20 & ABP-307360-20). I consider that the current case is comparable.

## 9.2. **Planning and Environmental Considerations**

- 9.2.1. The subject site is located mainly on lands zoned “*E1 – to facilitate opportunities for high technology and major campus style office based employment within high quality and accessible locations.*” There is a strip of land between the M1 motorway and the western boundary of the business and technology park that is zoned “*F1 – open space*”.
- 9.3. The site is approximately 1km south of the River Boyne and River Blackwater SAC and approximately 1.3km south-east of the River Boyne and River Blackwater SPA. The applicant has indicated that they intend to carry out Appropriate Assessment screening.
- 9.4. The following matters are relevant in terms of planning and environmental considerations:
- Compliance with open space zoning objective.
  - Impact on visual amenities of the area.
  - Potential links to housing development to the north.
  - Landscaping and screening.
  - Ecological surveys.

- Demonstration of exact reasons for screening out the need for Appropriate Assessment.

## 9.5. Prescribed Bodies

- 9.5.1. 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

- 10.1. 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 to be made directly to the Board.

## 11.0 Recommendation

- 11.1.1. I recommend that CAP Developments LLC be informed that the proposed development consisting of a 110kV GIS substation, 4 no. transformers and client control building, and 49 kVa electrical supply to 110kV substation, 2 no. dropdown 110kV transmission lines connecting to existing 110kV overhead transmission lines traversing the subject site, and all associated and ancillary development at Drogheda Business and Technology Park, Donore Road, Drogheda, Co. Louth as set out in the plans and particular received by An Bord Pleanala on the 24<sup>th</sup> June 2020, 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.

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Donal Donnelly

Senior Planning Inspector

9<sup>th</sup> October 2020



## **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 of Culture, Heritage and the Gaeltacht
- Minister for Communications, Climate Action and Environment
- Meath County Council
- Transport Infrastructure Ireland
- Irish Water
- An Chomhairle Ealaíon
- Fáilte Ireland
- An Taisce
- Heritage Council
- Commission of Regulation of Utilities, Water and Energy
- Health Service Executive
- Irish Aviation Authority
- Health & Safety Authority

Further notifications should also be made where deemed appropriate.