



An
Bord
Pleanála

Inspector's Report ABP-310661-21

Development	Section 146B application for amendments to An Bord Pleanála case reference VA.0018 - existing approved 220kV substation at Clonee, Co. Meath
Location	Clonee, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	Not applicable
Applicant(s)	Runaways Information Systems Ltd.
Type of Application	Application under the provision of S.146B of the Act.
Planning Authority Decision	Not Applicable
Type of Appeal	Not Applicable
Appellant(s)	Not Applicable
Observer(s)	None.
Date of Site Inspection	Not Inspected.

Inspector

Paul Caprani

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1.0 Introduction and Background

- 1.1. This report assesses a request from Runaways Information Services (the applicant) that the Board exercise its powers under the provisions of 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 Electricity line. The substation is proposed primarily to serve the proposed Facebook Data Centre which is currently operating on an adjacent site.

2.0 Existing Permission

Two separate applications were submitted in respect of the Data Centre and the substation compound. The data centre was the subject of an application under the provisions of S34 of the Act. The decision of Meath County Council to grant planning permission was the subject of a 3rd party appeal under Reg. Ref PL17.245347 where the Board upheld the decision of Meath Co Council to grant planning permission. A separate application was made under the provisions of S182(A) of the Act, directly to the Board (PL17.VA 0018) for a substation primarily to serve the Facebook Data Centre adjacent. The latter application was deemed to qualify as Strategic Infrastructure Development in accordance with S.182(A) of the Act.

The development consisted of:

- (i) A new 220kV substation compound (c.30,000 sq.m) which included.
 - An Outdoor Air Insulated Switchgear (AIS) equipment rated for the system voltage of 220kV equipped with 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;

(ii) A loop-in connection which comprised of the construction of 2 no. 220kV towers (26.5m in height) in line with the existing 220kV overhead line and the installation of lead-in connections between towers and terminal structures within the substation.

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 of the site.

The customer substation was developed specifically to distribute power to the adjacent Facebook Data Centres (three separate buildings). The 220kV cables to serve the Data Centre would be located underground and routed from the proposed MV building.

3.0 The S146(B) Request

3.1. Under the current request the applicant is seeking amendments to the existing 220kV Substation in the form of the following:

- The provision of 2 neutral earth switches.
- An additional lightening protection mast (c.25m in height)
- The provision a Power Transformer, current transformers, house transformer, surge arresters and post insulators.
- A Medium Voltage (MV) switchgear
- A Medium Voltage (MV) Switchroom and Control Room (GFA c126 sq.m.).
- Medium voltage cables to connect the power transformer and medium voltage switchgear.
- Minor Internal Compound Road Extension (13m x 4m wide road)
- Other minor ancillary site works.

All the proposed alterations and amendments are confined to the north eastern corner of the existing compound.

According to the information submitted with the S146(B) request, the proposed alterations are required to increase the electrical connectivity and improve the resilience of the Data Centre Campus and to facilitate possible future development in and around the campus.

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). The substation is located within a c.7 ha rectangular plot of land to the immediate east of one of the two largest Data Centre buildings on site at Portan Clonee Co. Meath. The boundary between Fingal Co. Council and Meath Co. Council runs to the southwest of the substation
- 4.2. 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 entire site (Data Centre and Substation) is 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.

The Damastown Industrial Estate lies in close 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. A separate IBM Technology Park is located to the north east of the site.

5.0 Application Submitted

- 5.1. The application to alter the existing approval was submitted on June 28th 2021. It was accompanied by:

- A Completed Planning Application Form.
- A set of drawings detailing the proposed amendments
- A supporting 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 to which environmental impacts arising from the changes could occur. It concludes that there is no significant potential for residual environmental impacts and that the proposed amendments to the substation are not material in nature. Precedent decisions by the Board on 146(B) applications which were similar in nature to the current application are set out in Appendix C of the submission.

6.0 Legislative Provisions

- 6.1. 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.
- 6.2. 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 146B(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 EIAR 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).

7.0 Assessment

- 7.1. The approved development under VA0018 (and the adjoining Data Centre granted under PL17. 245347) were both accompanied by EIAR's. The Board granted approval to both developments without significant alteration to the original submitted design.
- 7.2. The proposed alteration/amendments in this instance relates solely to the substation granted by the Board under the provisions of S182(A). It involves the provision of additional electrical apparatus confined to the north eastern corner of the subject site and includes the provision of additional transformers, surge arresters, post insulators and an additional lightening protection mast. It will also involve the construction of a relatively small MV switchroom and control room c5.1m in height.
- 7.3. It is in my view, from a visual perspective, the proposed amendments would be indistinguishable from the existing apparatus and equipment already granted and constructed as part of the approval. It will not, based on the drawings submitted, result in development which will alter the overall scale, massing and height of the existing electrical apparatus within the substation. The proposed elements under the current amendment are very similar in size and height and the elements permitted under PL 17. VA0018 and the amendments permitted under ABP 301172. The substation is sufficiently set back from roads (and therefore public vantage points) to ensure that no material visual impacts arise. Any roads in the immediate vicinity, either associated with the Data Centre, the Damastown Industrial Estate and The IBM Campus to the north-east of the site are private roads, where public access is not permitted without authorisation. This further reduces the scope of the proposed amendments to have any material or significant impact on the visual amenities of the area. Views of the substation from public vantage points are only afforded from distance (mainly the Kilbride Road – c.700 metres away) and the alterations proposed under the current S146(B) application will not be discernible to the naked

eye, to any appreciable extent in the context of the existing infrastructure associated with the substation. The substation is well screened with existing vegetation with mature hedgerows in the wider area surrounding the site. 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.

- 7.4. In terms of transport, the alterations will undoubtedly give rise to some increases in trip generation however this will be short term and confined to the construction phase only. Construction traffic impacts will be negligible and will not be material in nature. The amendments will not result in any material traffic impacts during the operational phase.
- 7.5. The drawings indicate that all proposed amendments will take place within the existing substation 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 reasonably be concluded that the proposed amendments will have no impact on ecology and biodiversity in the area. Nor, for the same reason, will amendments impact on the soils, geology or hydrogeology of the area. The substation is in excess of 3km from the nearest Natura 2000 site as such, given the minor nature of the proposed amendments and the separation distances involved, it can be reasonable concluded that the proposal will not in anyway impact on any features of interest/qualifying interests associated with the Natura 2000 sites in the wider area.
- 7.6. 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. The development will take place on man-made ground which has already been disturbed during the construction of the original substation. 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 EIAR submitted with the original application.
- 7.7. 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 atmospheric conditions surrounding the site.

- 7.8. The amendments will not give rise to any issues in terms of waste generation. It is possible that the installation of the equipment, could give rise to some additional noise generation during the construction phase, however the anticipated additional noise impact is likely to be negligible and short term in nature. Furthermore, there are no sensitive receptors in the immediate vicinity of the site which would be adversely affected to any material extent. It is therefore reasonable to assume that any impact will not be material in nature.
- 7.9. As the proposal does not involve any alteration to the footprint of the substation as granted, existing surface water drainage and foul drainage provisions will remain unchanged therefore the proposal will have no material impact on surface water drainage, water supply or foul drainage arrangements.
- 7.10. The minor nature of the alterations will likewise have no impact on the socio-economic environment arising from the development
- 7.11. I consider that the precedent decision made by and Board Pleanála under ABP 301172 is very relevant in this instance. Under this S146(B) request, the Board determined that the proposed alteration sought were non-material in nature. The request related to the subject substation and the alteration sought involved:
- *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 together with associated site works*
- 7.12. The alterations sought under both the current and previous applications referred to, are very similar in terms of their nature and extent. In the case of the previous application, the Board concluded that the previous alterations sought under ABP 301172 would not result in a material alteration to the terms of the development. Having regard to the similar nature of the alterations sought under both these 146(B) applications, I consider that the Board can reach a similar conclusion in respect of the current application before it.

8.0 Appropriate Assessment

- 8.1. Having regard to the limited nature and scale of the proposed development with the confines of the footprint of the existing substation and nature of the receiving environment together with the proximity to the nearest European site (Royal Canal SAC – Site Code 002103) which is located in excess of 3.5 km away, 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 Recommendation

Arising from my assessment above therefore, I would recommend that the Board determine that the alterations sought under ABP 310661 would not result in a material alteration to the terms of the development. Therefore, I recommend that the Board issue the following determination in relation to the application sought under the provisions of S146(B).

REQUEST received by An Bord Pleanála on the 28th Day of June, 2021 from Runway Information Services Limited care of AECOM Ireland Limited of 4th Floor, Adelphi Plaza, George's Street Upper, Dun Laoghaire, County Dublin under section 146B of the Planning and Development Act, 2000, as amended, in respect of a strategic infrastructure development described as 220kV substation compound and associated loop-in connection to the existing Corduff-Woodland No. 1 220kV overhead line, Clonee, County Meath.

WHEREAS the Board made a decision to approve, subject to conditions, the above-mentioned development by order dated the 22nd day of October, 2015 under case reference number 17.VA0018,

AND WHEREAS the proposed alterations are described as follows:

- The provision of 2 neutral earth switches.

- An additional lightening protection mast (c.25m in height)
- The provision a Power Transformer, current transformers, house transformer, surge arresters and post insulators.
- A Medium Voltage (MV) switchgear
- A Medium Voltage (MV) Switchroom and Control Room (GFA c126 sq.m.).
- Medium voltage cables to connect the power transformer and medium and medium voltage switchgear.
- Minor Internal Compound Road Extension (c. 58.5 sq.m (c. 13m x 4m)).
- Other minor ancillary site works.

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 or observations in relation to the application, the subject of this alteration

AND WHEREAS having considered all of the 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 on 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 received by An Bord Pleanála on the 9th day of March, 2018.

Reasons and Considerations

In deciding to make the alterations, the Board had regard to the following:

(a) the terms of the development approved under case reference number 17.VA0018,

(b) the nature, location and scale of the proposed alterations which are considered minor in extent, the context of the development as a whole being a major industrial development,

- (c) the documentation submitted with the alteration request, and
- (d) the report and recommendation of the Inspector.

The Board was satisfied that the information before it was adequate to undertake screening for Appropriate Assessment and a screening for environmental impact assessment in respect of the proposed alterations.

Paul Caprani
Planning Inspector

27th October 2021