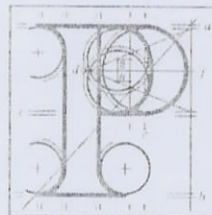


Outgoing Ref: ABP-300398-17

Your Ref: 160727



An
Bord
Pleanála

Jimmy Green
McCarthy Keville O Sullivan LTD
Block 1
Moneenageisha
Co. Galway

Date: 10th May 2018

Re: Solar photovoltaic array, substation and associated grid connection.
Timahoe North, Ballydermot, County Kildare.

Dear Sir,

I have been asked by An Bord Pleanála to acknowledge receipt of your letter dated 8th May, 2018.

The contents of which have been noted.

If you have any queries, please do not hesitate to contact the Board.

Please quote the relevant reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

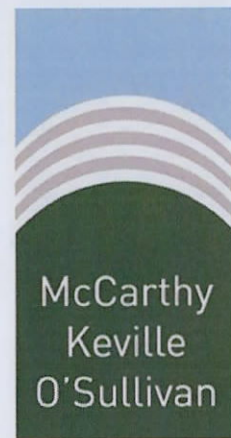
Kieran Somers
Executive Officer
Direct Line: 01-873 7107

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

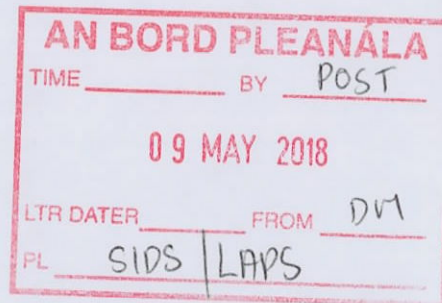
Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902



8th May 2018

Our Ref:

160727

Your Ref:

300398-17

**Re: Proposed Solar Farm at Timahoe North, Ballydermot, County Kildare
Strategic Infrastructure Development (SID) Determination**

Dear Sir/Madam,

I refer to the pre-application consultation meeting held in relation to this project on the 7th of March 2018, between the Board and the applicant of the proposed solar photovoltaic array, substation and associated grid connection development at Timahoe North, Ballydermot, County Kildare.

Comments on Issued Written Records of Meetings:

Firstly, on behalf of our clients Bord Na Móna Powergen Ltd, we wish to acknowledge receipt of the written record of the previous meeting that have been issued from the Board and confirm this is an accurate record of the meeting. In particular we note the following statements from the record of the meeting –

- *"The Board will serve formal notice at the conclusion of the process as to whether or not the proposed development is SID. It may form a preliminary view at an early stage in the process as to whether the proposed development would be likely to constitute strategic infrastructure".*
- *"On behalf of the Board it was stated that the fact that an EIAR is required did not necessarily mean that the development is strategic infrastructure"*
- *"The Board also sought clarification as to whether the overhead line would function as a transmission line and it was confirmed that this was so and it would be part of the transmission network. It was noted that this in itself could have strategic infrastructure implications"*
- *"The applicant affirmed that it would be their preference to present as a single application i.e. rather than end up with one part of the development being strategic development and the other part being a planning application to the planning authority. The applicant stated that they would like to get this clarified from the Board as soon as possible. As such although there are thresholds applying to wind-farm development (which result into whether they are classified as strategic infrastructure) the same does not apply to solar-*

farm developments. The Board also stated that although the splitting of projects is not ideal it would be for the Board of An Bord Pleanála to give its opinion on this. The electricity transmission element of the proposed development might constitute SI but the solar farm element would not appear to be a class of development set out in the Seventh Schedule."

- *The Board indicated that it would consult with Eirgrid in this respect [i.e. whether the proposed substation would be on the electricity transmission network] and to ascertain their views."*

Formal Request to Close S182E Discussions

In light of the comprehensive studies that have been carried out and clarifying discussions that have taken place with the Board and other stakeholders in relation to this project, the prospective applicant now wishes to formally close pre-application consultation process and requests that the Board now close out the S182E discussions and advise how it wishes the prospective applicant to proceed in relation to this application under the provisions of the Planning and Development Act, 2000, as amended.

Although arguments were presented in our initial submission to the Board seeking to have the entirety of the proposal considered as a single application, the discussions with the Board have highlighted the issues of precedence and consistency that such a single application approach would present within the planning process. Therefore, while a single application approach would be preferable, the prospective applicant is aware that the most likely outcome is that a two-application process will have to be undertaken. In this regard, our understanding is that the 110kV substation and associated 110kV infrastructure will require a direct application to An Bord Pleanála (under Section 182A of the Planning and Development Act, 2000 as amended) with the remainder of the proposed development (i.e. solar array, battery storage and associated infrastructure) constituting a standard application to the Planning Authority (Kildare County Council).

This likely outcome has been further enforced following our discussions with the Board and our own further engagement with Eirgrid, who have confirmed that the proposed substation development meets the definition of 'transmission' in accordance with the Electricity Regulation Act 1999. In this regard I refer to the attached email correspondence with Eirgrid. Accordingly, it is considered that, under Section 182(A) of the Planning and Development Act, the proposed provision of high voltage lines and electric plant (sub-station) will constitute Section 182A development, and therefore consent must be sought from the Board.

As the prospective applicant is anxious to proceed with the proposed development we wish to expedite the Board's decision in relation to confirming the S182A status or otherwise of the proposed development to allow this project to proceed to the planning application phase without any undue delay.

It is therefore requested that An Bord Pleanála close the pre-application consultation phase of this project and issue its formal determination, confirming our approach as set out above. We have also provided a layout map to inform the Board of the likely application boundary for a future direct planning application to An Bord Pleanála, which will comprise of any 110kV infrastructure. The remainder of the required infrastructure will be included in the application to the Planning Authority.

While the applicant originally considered that the project should comprise a single application, we now accept the proposed development will be required to be in two parts as set out above. As both applications will comprise of constituent parts of a single overall project, which has an Environmental Impact Assessment requirement, due to thresholds under Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) being exceeded (Class 1(d)(iii) -

deforestation, and Class 10(dd) - road length in excess of 2km], we will be providing an Environmental Impact Assessment Report with both applications.

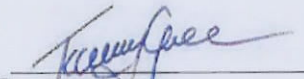
Conclusion

As set out above, on behalf of our client we wish to formally close the pre-application consultation phase of this project and are requesting that the Board issue its formal determination in relation to the above-mentioned project in light of the proposed additional consultations with Eirgrid, as detailed above.

As both McCarthy Keville O'Sullivan Ltd. and the prospective applicants are familiar with the planning processes involved in S182A developments and with the Strategic Infrastructure Developments we are happy to receive any further details of procedures in written form and would therefore request and anticipate that a further meeting with the Board will not be necessary in relation to the proposed development.

I trust the above is to your satisfaction

Yours faithfully,



J. Green, B.A., M.R.U.P. MIPI
Senior Planner
McCarthy Keville O'Sullivan Ltd.

Enclosures:

- Copy of correspondence with Eirgrid
- Map outlining extent of separate applications

Enclosure 1

Copy of correspondence with Eirgrid

From: Lynn.Hamilton@Eirgrid.com [mailto:Lynn.Hamilton@Eirgrid.com]
Sent: 05 April 2018 14:10
To: Michael McCormack
Cc: Shane.Maher@Eirgrid.com
Subject: [External]RE: Timahoe North Busbar configuration

Hi Michael,

Apologies for the delay in responding to your queries.

There is currently formal engagement occurring between An Bord Pleanála and EirGrid confirming that the proposed development will comprise part of the transmission network. Hopefully this will cover off your request for a letter.

Regards,

Lynn

From: Michael McCormack [mailto:Michael.McCormack@bnm.ie]
Sent: 08 March 2018 11:35
To: Hamilton, Lynn
Cc: Maher, Shane
Subject: RE: Timahoe North Busbar configuration

Lynn,

How's things, I have two queries on the Timahoe North Project, the first one is did you make any progress on the busbar query below, the second is a question you may have been asked before about other similar projects, the question is whether the Timahoe North 110kV substation forms part of the transmission system.

Would it be possible for Eirgrid to send me a letter confirming if the proposed Timahoe North 110kV substation forms part of the transmission network, I intend on sharing this letter with An Bord Pleanala to help them determine if the station is SID or not.

You will get a request from An Bord Pleanala in the coming weeks asking this same question in relation to Timahoe North.

Please give me a call if you need to discuss.

Regards

Michael McCormack
Powergen Development
Bord na Móna Plc,
Main Street,

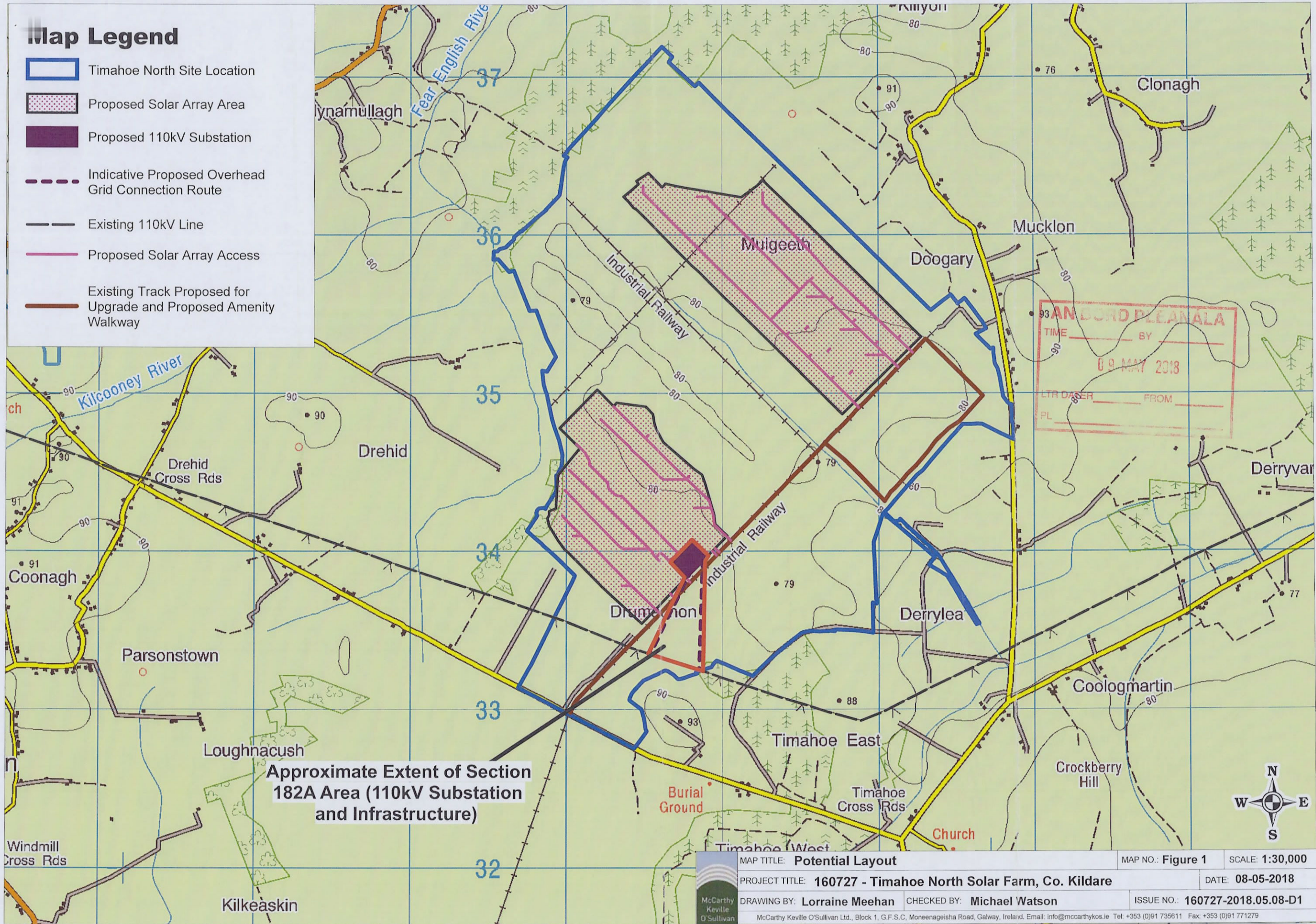
Enclosure 2

Map outlining extent of separate applications




Map Legend

-  Timahoe North Site Location
-  Proposed Solar Array Area
-  Proposed 110kV Substation
-  Indicative Proposed Overhead Grid Connection Route
-  Existing 110kV Line
-  Proposed Solar Array Access
-  Existing Track Proposed for Upgrade and Proposed Amenity Walkway



Approximate Extent of Section 182A Area (110kV Substation and Infrastructure)

	MAP TITLE: Potential Layout	MAP NO.: Figure 1	SCALE: 1:30,000
	PROJECT TITLE: 160727 - Timahoe North Solar Farm, Co. Kildare	DATE: 08-05-2018	
	DRAWING BY: Lorraine Meehan	CHECKED BY: Michael Watson	ISSUE NO.: 160727-2018.05.08-D1
	<small>McCarthy Keville O'Sullivan Ltd., Block 1, G.F.S.C. Moneenageisha Road, Galway, Ireland. Email: info@mcCarthykos.ie Tel: +353 (0)91 735611 Fax: +353 (0)91 771279</small>		