



An
Bord
Pleanála

Record of 1st Meeting ABP-320834-24

Case Reference / Description	ABP-320834-24		
Case Type	Pre-Application		
1st / 2nd / 3rd / 4th Meeting	1 st		
Date	23/10/2024	Start Time	11:00 a.m.
Location	Virtually	End Time	11:40 a.m.

Representing An Bord Pleanála

Staff Members

Una Crosse, Assistant Director of Planning (Chair)

Colm McLoughlin, Senior Planning Inspector

Raymond Muwaniri, Executive Officer

Sue Morel, Executive Officer

Representing the Prospective Applicant

Eric Whelan, Developer, Soleirtricity Lisheen Ltd

Kevin O'Regan, Managing Director, Malone O'Regan Environmental

Kathryn Broderick, Consultant, Malone O'Regan Environmental

Introduction

The Board referred to the letter received from the prospective applicant on the 1st day of July, 2024, requesting pre-application consultations under section 287 of the Planning and Development Act 2000, as amended, and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board's representatives mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file, which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.

Presentation made by the prospective applicant

The prospective applicant, Soleirtricity, is a small independent producer of solar energy within Ireland. The proposed site comprises 2.5ha located in the townland of Killoran, at Lisheen in north Tipperary; 6.3km northwest of Urlingford and 12.6km southeast of Templemore. The proposed development forms part of an emerging National Bioeconomy Campus. The Irish Government has set an ambitious target of having an 80% share of electricity generation capacity coming from renewable sources by 2030, supporting the need for the proposed development. The development is not only essential to achieving renewable energy goals, but also to achieving National and wider EU renewable targets.

- The proposed development would comprise a tail-fed 110kV Substation and transformer compound to serve a solar farm that was permitted by Tipperary County Council (TCC) under TCC ref. 21/1128. It is proposed that a single 110kV underground cable would be fed 'under the fence' from the proposed substation and transformer compound to the existing Lisheen 110kV substation, for export of the solar farm electrical energy onto the grid network.
- A 38kV substation was initially granted for the solar farm in 2021 (TCC ref. 21/1128), however, a tail-fed substation is required to facilitate the step up of the medium-voltage supply from the solar farm facility to the Lisheen 110kV substation.
- The medium voltage cable would travel underground from the permitted 76MW AC solar farm to the proposed tail-fed substation customer compound transformer. It will then exit the compound at high voltage into the Lisheen substation.
- The proposed development would be a small-scale independent-power producer facility and does not meet the definition of electricity transmission under Section 2(1) of the Electricity Regulation Act 1999. Therefore, the proposed development does not fall within the scope of section 182A of the

Planning and Development Act 2000, as amended. Having regard to the precedent set by the Board in similar cases, the prospective applicant asserted that the proposed development would not be of strategic importance to the State or the region, and it would solely export energy to the National grid.

Discussion

- The Board's representative began the discussion by referring to the two precedent cases detailed in the prospective applicant's submission, enquiring as to whether a synchronous condenser was part of the subject compound development, as per the referenced Cork case (ABP-315859-23). The prospective applicant advised that a synchronous condenser was not envisaged to form part of the subject project.
- The Board's representative acknowledged the prospective applicant's rationale in referring to a case relating to Ballymoneen Solar Farm in Galway (ABP-309420-21), however, they highlighted reference in the Inspector's Report for this 2021 case as indicating a degree of inconsistency regarding whether tail-fed high-voltage substations had been previously considered by the Board to form strategic infrastructure developments or not.
- The Board's representatives referred to the recent Board determinations of tail-fed high-voltage substations particularly since 2022, clarifying that these electricity infrastructure projects are since consistently considered to fall into the legislative definition of a SID. Reference was made by the Board's representative to the Board's determination in respect of ABP-313767-22 (determined in 2024), relating to a similar form of electrical infrastructure project in County Clare, which was considered to comprise a strategic infrastructure development.

- The Board's representative concluded that it was their preliminary view that the project would comprise strategic infrastructure development, however, the final decision is a matter for the Board.
- The Board's representative offered the prospective applicant an opportunity to advise if there was anything further or potentially omitted from their case that might indicate the preliminary view was incorrect. The prospective applicant acknowledged the inconsistencies in precedent cases and advised that they considered the cable connection amounting to approximately 56m in length to be quite limited and therefore unlikely to meet the threshold for a strategic infrastructure development.
- The Board's representatives acknowledged the reasoning of the prospective applicant and highlighted that the relevant legislation is quite clear in not differentiating if a high-voltage cable would be under or over the fence, or the length of such a cable. Central to the determination, is the type of infrastructure it connects.
- In relation to a query regarding the application procedures, the Board's representatives outlined the process.
- In terms of any application the Board's representatives referenced the ongoing development of the wider facility and the planning history for the lands. The prospective applicant advised that rehabilitation of the Lisheen mining operations had been well advanced with the lands cleared, and with a non-statutory masterplan being developed for the bioeconomy facility.
- The prospective applicant ended the discussion by enquiring about legislative timeframes, and they advised that they would be unlikely to require another meeting.

Conclusion

The Board's representatives advised that the onus is on the prospective applicant to either request a further meeting or formal closure of the pre-application consultation process. The Board's representatives advised that the record of the meeting would be issued in the meantime and that the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting.

A handwritten signature in black ink, appearing to read 'Una Crosse', is written over a horizontal line.

Una Crosse

Assistant Director of Planning