



An  
Bord  
Pleanála

## Record of Meeting 27.VC0103 1<sup>st</sup> meeting

<b>Case Reference / Description</b>	27.VC0103  A replacement 110kV electrical substation in the townland of Shelton Abbey, Arklow, Co. Wicklow		
<b>Case Type</b>	Pre-application consultation		
<b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup>		
<b>Date</b>	19/04/17	<b>Start Time</b>	11 a.m.
<b>Location</b>	Meeting Room 3	<b>End Time</b>	11.45 a.m.
<b>Chairperson</b>	Phillip Green	<b>Executive Officer</b>	Kieran Somers

<b>Attendees</b>		
<b>Representing An Bord Pleanála</b>		
<b>Staff Member</b>	<b>Email Address</b>	<b>Phone</b>
Phillip Green, Assistant Director of Planning		
Stephen Kay, Senior Planning Inspector		
Marcella Doyle, Senior Executive Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

<b>Representing the Prospective Applicant</b>		
Tomas Bradley, Project Planner		
Emmet Egan, Director		

The meeting commenced at 11a.m.

**Introduction:**

The Board referred to the letter dated the 18<sup>th</sup> November, 2016 from the prospective applicant requesting pre-application consultations 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 it wished to receive advice on from the Board.

The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- 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 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 any legal proceedings.

The Board noted that, in the instant case, it has consulted with Eirgrid by way of written correspondence. Eirgrid's response to the Board was received by letter dated the 17<sup>th</sup> February, 2017.

The Board said that the main purpose of the instant meeting was to seek further information from the prospective applicant in order to inform its determination as to whether or not the proposed development might constitute strategic infrastructure. The Board pointed out that the relevant legislation is worded in such a way as to

sometimes make it difficult to establish whether a proposed development such as this would be SID as it was not clear whether all or part of the development might be deemed to constitute 'transmission' and therefore come within the scope of s.182A of the Planning and Development Act, 2000 (as amended). The relevant provisions of the Planning and Development Act, 2000 (as amended), s.182A(9) and the definition of transmission given in s.2(1) of the Electricity Regulation Act, 1999 were referenced by the Boards representatives. The Board representatives added that it had decided to consult with Eirgrid in order to better understand the nature and extent of the proposed development.

Responding to the prospective applicant's query on the matter, the Board confirmed that it had not formally consulted with Wicklow County Council; however, the Board added that the local authority was notified of the pre-application consultation request.

In relation to the letter from Eirgrid dated the 17<sup>th</sup> February, 2017, the Board summarised the two main aspects of this letter as follows:

- Regarding the request for clarification regarding the nature and role of the existing 110kV substation, the Board said that Eirgrid had indicated that it is currently in private ownership and is not considered to be part of the national electricity transmission system. Eirgrid did, however, point out that the existing 110kV circuits which link the substation to the Arklow 220/110kV substation are operated by Eirgrid and owned by ESB Networks and that the said circuits do comprise part of the transmission system. This includes equipment within the substation which permits the circuits to terminate such as gantry structures and transformer bushings. Eirgrid pointed out in its letter that, although the said elements providing connection to the Arklow substation is part of the national transmission system, the Shelton Abbey substation could not function independently of its connection to the Arklow substation.
- With respect to the Board's query regarding whether the proposed development would provide back-up to any existing substation or would form part of the national transmission network, Eirgrid replied that it did not appear to be the case that the proposal would be required to provide any such back-up to an existing substation on the transmission network.

The prospective applicant noted the comments regarding the ownership of the sub station and its role in the network and stated that the intention was that the existing substation would effectively be split in two with one half handed over to either Eirgrid or ESB Networks. It added that this is quite a normal scenario and said that no material assets of Eirgrid or ESB Networks would be ceded as part of the project. The Board said that its remit in the current process is to determine whether or not the proposal before it would fall to be considered as SID. With respect to the legislation, the Board pointed out that it has had regard to the criteria as set out under section 37A(2) of the Planning and Development Act 2000, as amended, to help determine if a proposed development is of national or strategic significance. Notwithstanding previous and precedent cases, the Board's representatives said that a report would have to be prepared by the Senior Planning Inspector who would make a recommendation to the Board.

The prospective applicant noted Eirgrid's comments with regard to the back up role of the existing and proposed sub stations at Shelton Abbey. They stated that the proposed development is one of replacement in nature and that all existing arrangements would remain the same.

The Board had some queries for the prospective applicant regarding the existing layout on site, notably the alignment of the existing connection into the Shelton Abbey sub station and the extent of any changes that would be required to this connection to facilitate the proposed replacement sub station.

The prospective applicant noted for the record that its primary objective is to connect into the national grid whether by means of a 38kV line or a replacement substation. It was clarified in the discussion that the 38kV line shown on the submitted Site Layout Plan (received by the Board on 24<sup>th</sup> November, 2016) was an indicative alignment of a connection from the prospective applicant's windfarm site to the sub station in Arklow and is not an existing line. Subsequent to the meeting the prospective applicant submitted a revised Site Location Map (received by the Board on 19<sup>th</sup> April, 2017) which shows the proposed connection from the windfarm into the proposed sub station. It was also clarified by the prospective applicants in the course of the discussion that the proposed connection from Arklow to the sub station would follow the same alignment and would use the same pole sets with only the final length of line being different in the existing and proposed sub station layouts.

With respect to the current status of the subject site, the prospective applicant advised the Board that it is in use as a plastics factory and that there is also a woodwork shop. It said that it has engaged with the landowner and that it is unaware of any other planning proposals for the site in question. The zoning for the land is 'general employment' and it was noted that there have been a number of permissions granted over the years for development on the lands, one of which is for an open cycle gas turbine plant, permission for which will soon expire.

### **Conclusion:**

At the conclusion of the meeting the prospective applicants stressed the fact that the proposed wind farm development is not SID in nature and that there was no question that the proposed sub station was required to facilitate a SID form of development. The prospective applicant also set out their concerns regarding the potential cost implications of having to make an application under the SID legislation for a new sub station at Shelton Abbey. These issues were noted by the Board representatives.

The Board's representatives outlined the remainder of the process which would involve the reporting Inspector drafting a report and recommendation to the SID division of the Board. It was noted for the record that the proposed wind farm which the instant development would seek to facilitate would not appear to be of a size or output warranting a SID pre-application consultation request to the Board.

With regard to the relevant local authority, the Board's representatives indicated that they did not consider a meeting was required in this particular case.

At the conclusion of the meeting, it was agreed that the reporting Inspector will prepare his report and recommendation to the Board seeking, in the first instance, the preliminary SID opinion. This may take a few weeks to complete. The Board's representatives undertook to relay this preliminary opinion to the prospective applicant in due course. The Written record of this meeting will be prepared and forwarded to the prospective applicants for their comment (if considered necessary)

The meeting concluded at .11.45 a.m.

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**Phillip Green**

**Assistant Director of Planning**