



An
Bord
Pleanála

Inspector's Report ABP 300167-17

Development	110kV substation, cable and 2 no. cable end masts.
Location	Vesingstown and Harlockstown, Dunboyne, Co. Meath
Prospective Applicant	Lightsource Renewable Energy Ireland Ltd.
Planning Authority	Meath County Council
Inspector	Pauline Fitzpatrick

1.0 Pre-Application Consultation

- 1.1. The Board received a request on 3rd November 2017 from Lightsource Renewable Energy Ireland Ltd. to enter pre-application consultations under Section 182E of the Planning and Development Act 2000, as amended, in relation to the proposed development at Velsingstown and Harlockstown Co. Meath.
- 1.2. The Board's representatives met with the prospective applicant on the following dates:
 - 8th February 2018
 - 26th March 2018
 - 18th April 2018
- 1.3. The prospective applicant formally requested closure of the pre-application consultation process in a letter received on the 14th May, 2018.

2.0 Site location

The site in question is located in the townlands of Velsingstown and Harlockstown c. 4km to the north-west of Dunboyne. It forms part of a larger site on which permission is being sought from Meath County Council for a 55MW solar farm under reference number RA/170873. The lands are in agricultural use with the terrain noted to be flat with hedgerows delineating field boundaries. They are accessed from a track off the local road c.775 to the east. The R156 is c. 860 metres to the south. One off housing is prevalent along the public roads. The Corduff-Mullingar 110kV overhead line which runs parallel to the R156 at this point is c.700 metres from the site.

The site is not within or in the vicinity of a European Site.

3.0 Proposed Development

The proposed development comprises a 110kV substation which is to be looped into the existing Corduff-Mullingar 110kV line c.700 metres to the south. The proposed development would also comprise of 2 no. cable end masts and an underground

cable. Four bays are proposed to be provided within the substation as required by Eirgrid. Three of the bays would be fitted out.

During the pre-application process the prospective applicant considered the repositioning of the substation and cable connection to the existing 110kV line as a consequence of changes to the proposed solar farm layout. In its letter seeking closure received 14th May, 2018 it has decided not to move the substation substantially from the original location. The map accompanying the said letter delineates the revised location being marginally to the north of that originally submitted.

4.0 Planning History

RA/170873 - as noted above the site subject of the consultation forms part of a larger site on which permission is being sought for 55MW solar farm. The stated area of the site is 157 hectares.

The Planning Authority sought further information on the application including the requirement that the prospective applicant satisfy itself that the proposal for the substation and 110kV cable are not strategic infrastructure.

5.0 Applicant's Case

The proposed 110kV substation and cable are not considered to be Strategic Infrastructure given that:

- They are not of strategic or social importance to the state or the region. The substation will only serve the solar farm.
- They are not referred to nor would contribute substantially to the fulfilment of any of the objectives of the National Spatial Strategy or any regional spatial economic strategy. They are not identified or referred to in the NSS as a key piece of national infrastructure. They are not a critical link for other strategic developments in the area,
- They could be considered ancillary to the main works relating to the electricity generation, namely a solar farm which is a type of development not in the 7th Schedule.

- The proposal would only effect one planning authority.
- Whilst it involves the development of high voltage electricity infrastructure related to Section 182B of the Act, the cable is not the development of a new high voltage line as the cable is within an existing line. The Eirgrid Connection Offer states that the method of connection will be a new 110kV station looped into the existing Corduff-Mullingar 110kV circuit.
- The substation construction is a standard 110kV C-Type Station.
- Section 182 of the Act is not specific with regard to the definition of high voltage for substation or plant. It would be reasonable to consider the proposal against the long title of the Planning and Development (Strategic Infrastructure) Act 2007. The purpose of the Act is to consider developments of strategic importance to the State. The proposal would not be considered strategic infrastructure under this definition.

6.0 Eirgrid Correspondence

The Board requested the comments of Eirgrid on the following matter:

Clarification as to whether the proposed substation may form part of the national transmission network and any relationship that the proposed substation would have with the existing transmission network having regard to its indicated role as servicing a proposed solar farm.

Eirgrid in its response noted:

- The prospective applicant has received a 'Connection Agreement' for the proposed connection to the transmission grid.
- By reason of the loop in/loop out arrangement the substation will comprise a new node along the existing circuit and will form part of the transmission grid when in operation.
- It will be transferred into the ownership of ESB Networks (ESBN), the National Transmission Asset Owner (TAO) and will be operated by Eirgrid as National Transmission System Operator (TSO).

Legislative Provisions

Under section 182A (1) of the 2000 Act (inserted by section 4 of the 2006 Act) where a person, (thereafter referred to as the ‘undertaker’) intends to carry out development comprising or for the purposes of electricity transmission, (hereafter referred to in this section and section 182B as ‘proposed development’), the undertaker shall prepare, or cause to be prepared, an application for approval of development under section 182B and shall apply to the Board for such approval accordingly.

Subsection 9 states that in this section ‘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.

In section 2(1) of the Electricity Regulation Act, 1999, “transmission” is defined as 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, from one substation 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.

“Distribution” is defined as

“The transport of electricity by means of a distribution system, that is to say, a system which consists of electric lines, electric plant, transformers and switch gear and which is used for conveying electricity to final customers.”

“Electric plant” is defined as:

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

(a) An electric line

7.0 Assessment

The current proposal entails a new 110kV substation and cable connection to the Corduff-Mullingar 110kV overhead line c.700 metres to the south within a larger site on which permission is being sought from Meath County Council for a solar farm. Electricity generated by the solar farm would be fed into the substation. I consider that the substation constitutes electric plant as defined above in that it is plant for the purposes connected with the generation of electricity.

Section 182A (9) of the Act sets a threshold of 110kV in order for a high voltage electricity transmission line to be considered strategic infrastructure. No threshold is set in respect of a substation.

By reason of the loop in/loop out link to the existing circuit the power of the overall existing circuit will be entirely diverted into the substation and back out again. The new circuit will comprise a new node along that existing circuit. Therefore, the new substation and associated underground cable will form part of the existing transmission grid. It follows, therefore, that the substation, in forming such a node on the 110kV transmission network, constitutes Strategic Infrastructure.

The Board will note previous decisions it has made on strategic infrastructure pre-application consultation requests in relation to electricity transmission infrastructure under Section 182E. In cases VC0049 at Dulla Co. Tipperary, VC0062 at Letter Co. Galway and VC0098 at Mountphillips, Co. Tipperary, the Board determined that the provision of a new 110kV substation and associated overhead/underground cabling (110kV) which is to act as a node on the transmission network constitutes Strategic Infrastructure. These determinations were made on the basis that the proposed development constituted electric plant for the conveying of electric plant for the conveying of electricity from a generating station to a substation and/or facilitating connection into the National Transmission grid from a permitted/existing 110kV overhead line.

I consider that the subject case is comparable.

8.0 Conclusion

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 direct to the Board

9.0 Recommendation

- 9.1. I recommend that Lightsource Renewable Energy Ireland Ltd. Be informed that the proposed development consisting of a 110kV substation, cable and 2 no. cable end masts in the townlands of Vesingstown and Harlockstown, Dunboyne, Co. Meath as set out in the plans and particular received by An Bord Pleanala on the 8th November, 2017 and amended by the plans and particular received on the 14th May, 2018, 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.

Pauline Fitzpatrick
Senior Planning Inspector

May, 2018

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

An Chomhairle Ealaíon

Failte Ireland

An Taisce

Heritage Council

The Commission for Energy Regulation

Health Service Executive

Office of Public Works

Inland Fisheries Ireland

Irish Water