



An  
Bord  
Pleanála

## Inspector's Report Strategic Infrastructure pre application consultation 303838-19.

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<b>Development</b>	The addition of a new 110kV bay to connect to an existing busbar within an existing substation.
<b>Location</b>	Dunmanway 110kV Substation, County Cork.
<b>Planning Authority</b>	Cork County Council.
<b>Prospective Applicant(s)</b>	Eirgrid plc.
<b>Type of Request</b>	Section 182E request for SID Pre-application consultation – whether project is or is not strategic infrastructure development.
<b>Inspector</b>	B. Wyse.

## 1.0 Proposed Development

1.1. The proposed development comprises:

- A new 110kV bay connecting to the existing busbar within Dunmanway 110kV Substation.
- The new bay is the equipment which is required to connect a new underground cable approaching the substation from the Carrigdangan Wind Farm.
- The bay consists of a cable chair, a circuit breaker, a voltage transformer, a current transformer and a conductor.
- The extension of the existing cable room.

1.2. The proposal is illustrated in Figures 5 and 6 and on a site layout plan included in the applicant's submission.

1.3. It is indicated that Dunmanway 110kV Substation is an important transmission and distribution node in the region. The driver for the new bay is the connection of approx. 60MWs of Gate 3 wind energy generation. The proposed works would also contribute to strengthening the overall meshed grid, thus providing a more secure and reliable system for inward investment as well as facilitating the transmission of energy to load centres throughout the region and the country.

## 2.0 Applicant's case

2.1. The proposed works within the existing Dunmanway Substation are minor in nature and are not considered to constitute strategic infrastructure.

## 3.0 Legal Provisions

3.1. Under section 182A(1) of the 2000 Act (inserted by section 4 of the 2006 Act) where a person (hereafter 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:

*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 in relation to electricity as meaning:

*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.*

#### 4.0 **Assessment**

- 4.1. The Board will note previous decisions it has made on Strategic Infrastructure pre application consultation requests in relation to the provision of electricity transmission infrastructure under s.182E and also involving new or replacement substations and amendments, replacement, additions and expansion of electricity substation and transmission infrastructure. In these cases, due to a lack of clarity in the interpretation of s.182A and its requirements in relation to developments of such

a nature, the Board has exercised some discretion and used the broad definition of the Strategic Infrastructure Act, *developments of strategic importance to the State*, and the criteria contained in s.37(A)(2) to determine such matters (noting that these criteria are not specifically cited for cases coming forward under s.182A).

- 4.2. Previous relevant cases include ABP Refs. 303148-18, 301341-18 and VC0056.
- 4.3. In this case the prospective applicants have indicated their opinion that the proposed development does not constitute strategic infrastructure under s.182A given that the proposed works would be entirely within an existing substation and are of a minor nature.
- 4.4. Having regard to the stated purpose of the 2006 Act as set out in the long title and to the general description and scale of strategic infrastructure development set out in section 37A(2), I consider that the proposed development as described would not constitute strategic infrastructure. I conclude, therefore, that it does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating the making of an application directly to the Board.

## 5.0 Recommendation

- 5.1. I recommend that Eirgrid plc be informed that the proposed development, consisting of the addition of a new 110kV bay connecting to an existing busbar within Dunmanway Substation, County Cork, as set out in the plans and particulars received by An Bord Pleanala on the 27<sup>th</sup> February 2019 does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application should be made in the first instance to Cork County Council.

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Brendan Wyse  
Assistant Director of Planning

8<sup>th</sup> August 2019.