



An  
Bord  
Pleanála

## Inspector's Report ABP-304101-19

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<b>Development</b>	110kV substation to serve a solar farm development
<b>Location</b>	Trascan and Clondoolusk, Portarlington, Co. Offaly.
<b>Planning Authority</b>	Offaly County Council
<b>Type of Application</b>	Pre-application consultation
<b>Prospective Applicant</b>	Elgin Energy Services Ltd.
<b>Date of Site Inspection</b>	14 <sup>th</sup> June 2019
<b>Inspector</b>	Donal Donnelly

## 1.0 Introduction

- 1.1. The Board received a request on 29<sup>th</sup> March 2019 from prospective applicant, Elgin Energy Services Ltd. to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, as amended in relation to a proposed 110kV substation and associated infrastructure at Trascaun and Clondoolusk, Portarlinton, Co. Offaly. The proposed substation will loop into an existing 110kV overhead line crossing the site and will provide a grid connection for a proposed 88-hectare solar farm.
- 1.2. A consultation meeting was subsequently held between An Bord Pleanála and the prospective applicant on 25<sup>th</sup> July 2019. The prospective applicant formally requested closure of the pre-application consultation process by written correspondence received by the Board on 4<sup>th</sup> November 2020.
- 1.3. The primary purpose of pre-application consultation meeting was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006; to consider matters relating to the proper planning and sustainable development of the area or the environment which may have a bearing on the Board's decision; and to outline the procedures involved in making the application.
- 1.4. This Report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board, the legislative provisions, and a recommended list of Prescribed Bodies that should be forwarded copies of the application.

## 2.0 Site Location

- 2.1. The site of the proposed substation and solar farm development is located in the townlands of Trascaun and Clondoolusk in Co. Offaly approximately 3.5km east of Portarlinton and 3.5km north-west of Monasterevin. There is a tripoint approximately 340m north-east of the site where Counties Offaly, Laois and Kildare meet.

- 2.2. The solar farm site extends over an area of 88 hectares and comprises level agricultural pastureland made up of large fields with mature boundaries. The River Barrow and River Nore SAC is located c. 150m from the closest point of the solar farm site. The site is traversed from east to west by the Portlaoise to Newbridge 110kV overhead line. A local road which is aligned with sporadic residential development runs parallel and to the north of the overhead line. Derrylea Bog is situated to the north of the proposed solar farm site.
- 2.3. The proposed 110kV substation would be located under the overhead line at a distance of approximately 700m north of the River Barrow. The area of the substation development would be 1.36 hectares.
- 2.4. An additional parcel of land to the west of the proposed solar farm and substation development may or may not be included subject to ongoing negotiations with relevant landowners. However, this will not have any implications for the proposed 110kV substation.

### **3.0 Proposed Development**

- 3.1. The proposed development comprising a substation to connect a 40-60MW solar farm to the national grid includes the following:
1. 110kV air insulated switchgear substation
  2. Looped connection to 110kV overhead powerline
  3. 2 no. 110kV cable end masts inserted into existing overhead line
  4. All associated ancillary development

### **4.0 Planning History**

Offaly County Council Reg. Ref: 19/430

- 4.1. An incomplete application was made to Offaly County Council for a solar farm at the site on 4th September 2019. This proposal consisted of a solar farm on a total site area of 88 hectares, consisting of photovoltaic panels on ground mounted steel frames with associated cabling and ducting; 40 no. single storey inverter stations; 4 no. steel storage containers; perimeter fencing; security gates; permeable gravel access track; 36 no. onsite pole mounted CCTV cameras c. 3m in height; 2 no.

temporary construction compound/material storage area; 2 no. temporary construction stage Moby Dick type wheelwash systems (with overhead settlement tank); and all associated ancillary development services and works.

- 4.2. Permission was sought for the proposed solar farm for a period of 10 years with an operational period of 40 years. A Natura Impact Statement (NIS) was submitted with the planning application.

## 5.0 **Prospective applicant's case**

- 5.1. The prospective applicant's case is that the proposed development will form part of the electricity transmission network upon completion and therefore constitutes a Strategic Infrastructure Development (SID) under Section 182A of the Planning and Development Act, 2000 (as amended)

- 5.2. The key elements of the Applicant's submission are summarised as follows:

- EirGrid has confirmed that the proposed 110kV substation would form part of the transmission network. Grid connection offer has been made to prospective applicant from EirGrid.
- Preliminary conclusion from the Board at pre-application meeting was that the proposed substation would comprise SID.
- Proposed substation will have a looped in connection into an existing 110kV overhead line at the site and will form part of the transmission network once completed.
- No threshold is set in respect of a substation under Section 182A.
- 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.
- New circuit will comprise a new node along the existing circuit – new substation and associated underground cable will form part of the existing transmission grid. Substation, in forming such a node on the 110kV transmission network constitutes Strategic Infrastructure Development.

- Board determined on similar pre-application requests that the provision of a new 110kV substation and associated overhead/ underground cabling constitutes Strategic Infrastructure Development.

## 6.0 Pre-Application Consultations

- 6.1. A pre-application consultation meeting was held in the offices of An Bord Pleanála on 25<sup>th</sup> July 2019. Full details of the meeting and matters raised are contained in the Board's Record.
- 6.2. The prospective applicant gave an overview of the case that included a description of the Trasca Solar Farm and 110kV substation, as well as a description of the proposed grid connection.
- 6.3. The following matters were discussed after the presentation:
  - SID status – Board's representative confirmed that its preliminary conclusion would be that the proposed substation would comprise SID given that it consists of a 110kV substation and grid connection that would form part of the transmission network.
  - Flooding – floodplain is located to the south/ south-east of the subject site. Prospective applicant confirmed that the proposed substation is located outside the 1:100 year flood (with allowance for climate change).
  - Visual amenity – photomontages and landscape assessments should be cognisant of environmental sensitivities in the receiving environment, particularly given its flat open nature. Particular regard to views from River Barrow and any features of archaeological or architectural heritage.
  - Archaeology – Potential impact on archaeology, both in terms of individual features and archaeological landscape should be examined.
  - Residential proximity – Likely separation distance to nearest residential receptor c. 150m.
  - Appropriate Assessment – NIS will be undertaken and Board's representatives advised that in-combination effects with other plans and projects should be addressed, including the proposed solar farm.

- EIA – Board’s representatives reminded prospective applicant that an overhead line connection might require EIA. Prospective applicant will examine alternative options including the replacement of an overhead line connection with underground cabling.
- Public consultation – Board’s representatives advised early engagement as being the best practice in dealing with issues and alleviating concerns.

## 7.0 Correspondence from EirGrid

7.1. EirGrid confirmed within correspondence to the prospective applicant dated 29<sup>th</sup> August 2018 that the 110kV station serving the proposed solar farm, and contained within the connection offer, would form part of the transmission system once constructed and operational; that Elgin Energy Services Limited has applied to EirGrid plc for a grid connection agreement; and that a grid connection agreement offer has been made to Elgin Energy Services.

## 8.0 Legislative provisions

8.1. Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires that where a person (referred to as the ‘undertaker’) intends to carry out development comprising or for the purposes of electricity transmission, the undertaker shall prepare an application for approval of the development to the Board.

8.2. Section 182A(9) of the Act states that ‘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.

8.3. Section 2(1) of the Electricity Regulation Act, 1999 defines transmission as follows:

*“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, 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.”*

8.4. Electric plant is defined as follows:

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

*(a) an electric line,*

*(b) A meter used for ascertaining the quantity of electricity supplied to any premises, or*

*(c) an electrical appliance under the control of the consumer.*

## 9.0 **Assessment**

### 9.1. **Strategic Infrastructure**

- 9.1.1. The proposed development comprises a new 110kV AIS substation and grid connection to the existing Portlaoise to Newbridge 110kV overhead transmission line traversing the subject site. The purpose of the proposal is to allow electricity generated by a proposed solar farm at this location to be fed into the national grid.
- 9.1.2. Under Section 182A of the Planning and Development Act, 2000 (as amended), an undertaker shall apply to the Board for approval of a development comprising or for the purposes of energy transmission. Section 182A(9) states that ‘*transmission*’ shall be construed in accordance with Section 2(1) of the Electricity Regulation Act, 1999 and shall also be construed as meaning *inter alia* the transport of electricity by means of a high voltage line where the voltage would be 110kV or more.
- 9.1.3. Section 2(1) of the Electricity Act defines the transmission system as wholly or mainly high voltage lines and electrical plant for conveying electricity. I consider that the proposed substation constitutes ‘*electrical plant*’ as “*any plant, apparatus or*

*appliance used for, or for purposes connected with, the generation, transmission, distribution or supply of electricity...”.*

- 9.1.4. There is no threshold under Section 182A(9) of the Planning and Development Act, 2000 (as amended) in respect of a substation. However, the proposed 110kV AIS substation and the provision of transmission lines between the proposed substation and the existing transmission infrastructure will essentially see power in the transmission line being diverted into the substation and back out again, thereby forming a node on the transmission system. This, in my opinion, constitutes Strategic Infrastructure Development.
- 9.1.5. The Board will note previous decisions on pre-application consultation requests in relation to electricity transmission infrastructure under Section 182E where it was determined that the provision of a 110kV substation and associated 110kV cabling acting as a node on the transmission system constitutes Strategic Infrastructure Development. The Board decided that the construction of a 110kV substation and associated 110kV underground cabling to serve a solar farm at Timahoe North, Ballydermot, Co. Kildare is strategic infrastructure, (ABP-300398-17). More recently, the Board decided that a solar farm and battery energy storage system with associated 110kV substation at Mothel and Curraghduff, Co. Waterford is strategic infrastructure (ABP-304101-19). I consider that the current case is comparable to these cases.

## 9.2. **Planning and Environmental Considerations**

- 9.3. The proposed substation site is approximately 700m north of the River Barrow and River Nore SAC. The prospective applicant has indicated that they intend to complete a Natura Impact Statement.
- 9.4. The following matters are relevant in terms of planning and environmental considerations:
- Flood risk assessment.
  - Impact on visual amenities of the area.
  - Landscaping and screening.
  - Proximity to residential properties.



- Potential impact on archaeology.
- Appropriate Assessment and impact on ecology.

## 9.5. Prescribed Bodies

9.5.1. In view of the scale, nature and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix in respect of any future application for approval.

## 10.0 Conclusion

10.1. 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 to be made directly to the Board.

## 11.0 Recommendation

11.1.1. I recommend that Elgin Energy Services Ltd. be informed that the proposed development consisting of a 110kV AIS substation, looped connection to 110kV overhead powerline traversing the site, 2 no. 110kV cable end masts inserted into existing overhead line and all associated ancillary development at Trascaun and Clondoolusk, Co. Offaly as set out in the plans and particulars received by An Bord Pleanála on the 29<sup>th</sup> March 2019, 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.

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Donal Donnelly  
Senior Planning Inspector

7<sup>th</sup> December 2020

## **Appendix – List of Prescribed Bodies**

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 182A (4) (b) of the Act.

- Minister for Housing, Local Government and Heritage
- Minister for Culture, Heritage and the Gaeltacht (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Offaly County Council
- Irish Water
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- Irish Aviation Authority
- Health & Safety Authority
- Office of Public Works

Further notifications should also be made where deemed appropriate.