



An  
Bord  
Pleanála

## Inspector's Report ABP-308018-20

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**Development**

Development of 110kV substation.

**Location**

Townland of Milltown, Kells, Co.  
Meath

**Planning Authority**

Meath County Council

**Prospective Applicant**

Harmony Solar Meath Ltd.

**Inspector**

Karla Mc Bride

**Date of site inspection:**

25<sup>th</sup> September 2020

## **1.0 Introduction**

- 1.1. Harmony Solar Louth Ltd. requested Pre-Application Consultations under Section 182A of the Planning and Development Act, 2000, as amended, for the proposed development of a 110kV substation. Pre-Application Consultations took place between An Bord Pleanála (the Board) and the prospective applicant on 14<sup>th</sup> October 2020 (see appended signed Record).
- 1.2. The primary purpose of the 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, and 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 procedures involved in making the application.
- 1.3. 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 it recommends a list of Prescribed Bodies that should be forwarded copies of the application.

## **2.0 Site Location**

- 2.1. The site of the proposed development is located within a rural area to the S of Kells and N of Navan in County Meath. It is located to the W of the M3 and on the E side of the L6835 local road. There are several agricultural buildings and dwelling houses in the surrounding area. The lands are in agricultural use, the site boundaries are defined by trees and hedges and the lands slope down gently to the N towards a small stream. The site is located to the W of the River Blackwater which forms part of the River Boyne and Blackwater SAC and SPA. The Blackwater Valley is designated as a Very High Value Landscape and there are several features of archaeological and cultural heritage interest in the vicinity.

## **3.0 Proposed development**

The proposed development would comprise a new 110kV substation with a Loop-In/Loop-Out arrangement that would connect a proposed solar farm to an existing transmission overhead line that traverses the c. 2.2ha site. The works would include:

- Security & safety fencing.
- Eirgrid compound & switchroom building.
- Two c.16m high end masks linked to the substation via underground cabling.
- A 5m wide access road off the L6835.

The proposed solar farm would occupy 2 x sites to the N and S (41ha & 80ha) which would be linked to the substation via underground cables along the public road. It is intended to submit single EIAR and AA Screening/NIS for the overall energy project.

#### **4.0 Prospective applicants' case**

- 4.1. Harmony Solar Louth Ltd. is proposing to develop a solar farm on the surrounding lands to the N and S of the site which will be the subject of a separate planning application to Meath County Council. The current proposal relates to the construction of a 110kV substation which would connect the proposed solar farm to an existing and adjacent 110kV overhead transmission line.
- 4.2. The key elements of the Applicant's submission in support of the case being designated as strategic infrastructure are summarised as follows:
  - S.182(A) of the Planning and Development Act states that for the purpose of electricity transmissions the undertaker shall "Prepare, or cause to be prepared, an application for approval of the development under S.182B and shall apply to the Board for such approval accordingly.
  - No threshold is set in S.182A for substations, and the proposal will, by way of the LILO connection, effectively become a node for 110kV overhead line and will thus form part of the national transmission network.
  - Comparable precedent decisions were made by the Board under PL26. VC0111, PL09. 300398 & PL93. 301206 where it was determined that a 110kV substation & attendant cabling that connected to the national transmission network fell within the scope of S.182A.
  - Sustainable energy renewable projects of this kind are supported by various local, regional and national plans such as the Climate Action Plan.

- The supporting documentation also noted that the proposed development would satisfy criteria (a) and (b) of S.37A (2) of the 2006 Act and supports national, regional and local policies and objectives.

4.3. It was concluded that the proposed development should be deemed a SID.

## 5.0 Pre-Application Consultations

5.1. One Consultation meeting was held in the Board offices on 14<sup>th</sup> October 2020.

5.2. The prospective applicant described the site and surroundings, outlined the main elements of the proposed development and provided an update on the status of the project and related solar farm. The policy context for the project was explained (including European, national regional & local policy), the major constraints and options considered were identified, and the consultations undertaken to date were outlined. The Board representatives identified several areas of concern (including potential impacts on: - the landscape & views; archaeology & built heritage; flood risk & drainage; and ecology, including the relationship with the River Boyne and Blackwater SAC & SPA). It was stated that discussions with Meath Council and public consultations had been affected by Covid-19 restrictions.

5.3. The Board's advice to the prospective applicant during the pre-application consultation meetings is summarised below:

- (a) Consult with the NPWS and IFI in relation to potential impacts on the River Boyne and Blackwater SAC/SPA, and any further afield European sites that may have a mobile connection to the site; assess potential visual impacts on sensitive landscapes, potential impacts on archaeology and cultural heritage, and the risk of flooding and potential impacts along the local rural road network (including bridges) should also be assessed.
- (b) A comprehensive and detailed EIAR should be prepared which has particular regard to the impact of the proposed development on ecology and biodiversity, archaeology and built heritage, drainage, water quality, flood risk and traffic management.
- (c) A comprehensive and detailed AA Screening/NIS should be prepared having regard to the presence of European sites in the surrounding area.

- (d) Due consideration should be given to in-combination effects on the environment with other existing and proposed developments in the wider area, including the proposed solar farm.
- (e) A single EIAR & AA Screening/NIS report for the proposed solar farm and substation is acceptable.
- (f) Public consultation should be as extensive as possible and consultations should take place with Meath County Council, Prescribed Bodies and the local community.

## **6.0 Legislative provisions**

- 6.1. 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.
- 6.2. 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.
- 6.3. 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**

- 7.1. The proposed development comprises a new 110kV substation and connection to the existing 110kV Cookstown Great overhead line that traverses the site c.450m to the N. The proposed substation would be linked to a proposed solar farm located at 2 sites to the N and S, and electricity generated by the solar farm would be fed into the national grid via the proposed substation. I am satisfied that the substation constitutes electric plant as defined in section 6.0 above in that it is plant for the purposes connected with the generation of electricity.
- 7.2. 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.
- 7.3. The layout of the substation connection involves a Loop-in/ Loop-out line to an existing 110kV transmission line. The power of the overall existing circuit will be entirely diverted into the substation and back out again, and as such the proposed substation would comprise a new node along the existing circuit. The new substation and associated overhead line will form part of the existing transmission grid when in operation and the circuit will comprise a new node along the existing circuit.
- 7.4. I am satisfied that the proposed substation, in forming a node on the 110kV transmission network, constitutes Strategic Infrastructure.
- 7.5. In terms of matters which might influence the decision of the Board I note that there is considerable potential for indirect effects, interactions and cumulative impacts which would be relevant to consideration under EIA and AA.
- 7.6. In conclusion, I consider that the proposed substation 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.

## **8.0 Recommendation**

- 8.1. I recommend that Harmony Solar Meath Ltd. be informed that the proposed development consisting of a 110kV substation, masts, cables and related ancillary infrastructure in the townland of Milltown, Kells, County Meath as set out in the plans and particular received by An Bord Pleanála on the 24<sup>th</sup> August 2020, 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.

## **9.0 Prescribed Bodies**

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

- i. Minister for Housing, Local Government and Heritage
- ii. Minister for Agriculture, Food and the Marine
- iii. Minister for Environment, Climate and Communications,
- iv. Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,
- v. Minister for Transport
- vi. Meath County Council
- vii. Irish Water
- viii. Inland Fisheries Ireland
- ix. Transport Infrastructure Ireland
- x. Environmental Protection Agency
- xi. The Heritage Council
- xii. An Taisce
- xiii. An Chomhairle Ealaíon
- xiv. Fáilte Ireland
- xv. Health & Safety Authority

Further notifications should also be made where deemed appropriate.



**Note:** The prospective applicant should be advised to submit a separate document (to the EIAR) with the planning application which outlines the mitigation measures, in the interest of convenience and ease of reference.

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Karla Mc Bride  
Senior Planning Inspector  
03 November 2020