



An
Bord
Pleanála

Inspector's Report ABP-309201-21.

Development

New 110kV substation and transmission line from permitted Grange Back-Up Power Plant to Kilmahud substation.

Location

Grange Castle Business Park,
Lucan, Dublin 22.

Prospective Applicant

Grange Back-Up Power Ltd

Planning Authority

South Dublin County Council

Type of Application

Pre-Application consultation under Section 182E of the Planning and Development Act 2000, as amended.

Date of Site Inspection

5 March 2021

Inspector

Mairead Kenny

1.0 Overview

- 1.1. This report refers to a request to enter pre-application consultation which was lodged by the prospective applicant on 15 of January 2021. The proposed development relates to a new substation and grid connection to serve the permitted Grange Back-Up Power Plant to the existing Kilmahud substation.
- 1.2. One meeting was held remotely on 8 April 2021.
- 1.3. The original proposal submitted by the applicant was for a connection to a permitted substation known as Clutterland. This was superseded by the revised submission.
- 1.4. A letter requesting closure was received by the Board on 16 April 2021 .

2.0 Site Location and Description

- 2.1. The permitted power plant is to be located in the northern part of the Grange Castle Business Park immediately adjacent to the Grange Castle 110kV substation, which is to the north. The subject substation is to be positioned to the east of the permitted power plant and the cable will traverse a largely south-westerly direction to connect with the nearby Kilmahud substation.
- 2.2. The site context is an established and emerging business park with a lot of high-tech industries including, to the west a large data centre of which the final phase is under construction.
- 2.3. The estate roads are wide and tree-lined and there are footpaths and cycle routes in place. Grange Business Park is in the ownership of South Dublin County Council. The cable route would pass near a Dublin Bus terminus and the Griffeen River, which is in culvert in places.

3.0 Proposed Development

- 3.1. The scope of the proposed development is to provide a connection between the permitted power plant and Kilmahud substation, which is long established.
- 3.2. The subject development comprises a 110 KV substation and grid connection.
- 3.3. The grid connection is described as a single 110 KV transmission line of 375 m in length to be constructed within a new single trench. The new ducting and cabling will

connect into an existing 1 km length of ducting and cabling that links to the Kilmahud 110 KV substation.

- 3.4. The design of the proposal has involved enhanced discussions with Eirgrid and ESB Networks who have indicated that the connection method will be through national grid infrastructure.
- 3.5. ESB Networks will be the asset owner of the proposed development. Eirgrid will be responsible for operating the proposed substation and transmission line.

4.0 Planning History

- 4.1. Grange Back-Up Power was permitted by the planning authority under reg. ref. SD 15A/0061 as a 115 MW peaking plant to operate 12 hours a day.
- 4.2. Under reg. ref. SD 16A/0398 an amendment was permitted to allow the plant to operate baseload (24/7) and with the reduced plant capacity of 96 MW.
- 4.3. Under reg. ref. SD 18A/0298 – permission was granted for the final phase of the Edgeconnex data centre site to the west, which is under construction.

5.0 Precedent Cases

- 5.1. In terms of the particular details of the proposal, I consider that a recent decision by the Board relating to a case in Srah, Co Offaly is of relevance – ABP-308120. I discuss the details of that case below.

6.0 Prospective Applicant's Case

- 6.1. It is submitted that the proposed development meets the relevant criteria under section 182A and 182B and constitutes strategic infrastructure development having regard to the following:
 - Once energised the new substation and underground transmission line and connection to existing ducting will form part of ESNB infrastructure which Eirgrid will operate.
 - The proposed development will form part of the transmission network on completion and therefore constitutes SID under section 182 (A).

7.0 Legislative Provisions

- 7.1. 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.
- 7.2. 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.
- 7.3. 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.”
- 7.4. “**Distribution**” is defined as
- 7.5. “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.....”

8.0 **Assessment**

- 8.1. I consider that the development of the proposed 110 kV substation and related infrastructure is ‘electrical plant’ as defined by the Electricity Regulation Act 1990.
- 8.2. The prospective applicant’s position, in summary, is that the proposed substation will constitute part of the transmission system and comprise ESN assets and serve to strengthen and provide capacity in the area.
- 8.3. I refer the Board to the following matters in this case:
- Immediately on completion it is intended that the substation will be taken over by Eirgrid to operate and will be part of ESN Network assets.
 - The applicant has indicated that the development would comprise a new node on the transmission network.
 - All of the infrastructure proposed is 110kV.
 - There is no provision for future expansion within the substation.
 - The cable arrangement would be described as ‘tail fed’.
- 8.4. In determining cases for similar development, the Board has sometimes taken the view that by reason of a ‘tail fed’ cable arrangement particular proposals did not constitute strategic infrastructure under section 182A. This matter was discussed at the pre-application consultation meeting. The prospective applicant outlined that there are particular capacity constraints in the network in this area in West Dublin. It was also considered likely that in future there would be an additional direct connection to the Kilmahud substation and that the proposed development would then form part of a mesh node.
- 8.5. In case ABP-308120 at Srah, Rhode, Co. Offaly the Board deemed that a proposal to connect a renewable energy development by way of a new substation and tail fed cable connection was SID. The circumstances included a capacity to serve future

developments in the area and that the development would in time become a mesh node.

- 8.6. Having regard to the precedent case above and the circumstances of this case I consider that it falls under section 182A for the following reasons:
- the development includes a 110 KV electricity cable and thus falls under the definition of transmission in section 182A(9)
 - on completion the subject development will be part of ESN Network assets and form a new node on the electricity transmission systems.
- 8.7. Therefore, the proposed development meets the definition of 'electricity transmission' under section 2 (1) of the Electricity Regulation Act 1999.
- 8.8. I conclude that the proposed development as described in the submitted documentation constitutes strategic infrastructure within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating an application direct to the Board.

I attach an Appendix listing relevant prescribed bodies.

9.0 Recommendation

I recommend that Grange Back-Up Power Ltd Ltd be informed that the proposed development consisting of a new 110 kV substation and 110kV grid connection works to connect the permitted Grange Back-Up Power Plant to the Kilmahud substation at Grange Castle Business Park, Lucan, Dublin 22 as set out in the plans and particulars received by An Bord Pleanála on 15 January 2021 and 8 April 2021 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.

Mairead Kenny
Senior Planning Inspector
19 April 2021

Appendix – list of prescribed bodies

The following list identifies the prescribed bodies which are considered relevant in this instance for the purposes of Section 182A(4)(b) of the Act.

- Minister for Housing, Planning and Local Government
- Minister for Communications, Climate Action and Environment
- South Dublin County Council
- Transport Infrastructure Ireland
- An Taisce
- Heritage Council
- Inland Fisheries Ireland
- Córas Iompair Éireann
- Irish Water
- Commission for Regulation of Utilities