



An
Bord
Pleanála

Inspector's Report

ABP-310846-21

Development

110kV substation to feed into the existing Athlone 220/110 kV substation at Monksland, Co. Roscommon, including underground cable connection and all associated works

Location

Tarduff West, Athlone, County Roscommon.

Planning Authorities

Roscommon County Council

Prospective Applicant

TDC Community Solar Park Limited

Type of Request

Section 182E request for SID
Preapplication consultation – whether project is or is not strategic infrastructure development.

Inspector

Una Crosse

15 November 2021

1.0 Introduction

- 1.1. TDC Community Solar Park Limited requested Pre-Application Consultations under Section 182E of the Planning and Development Act, 2000, as amended, for a proposed 110kV substation to feed into the existing Athlone 220/110 kV substation at Monksland, Co. Roscommon, including underground cable connection and all associated works.
- 1.2. Pre-Application Consultations took place virtually between An Bord Pleanála (the Board) and the prospective applicant on 29 September 2021 (see Record).
- 1.3. 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 where necessary 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 any future application.
- 1.4. This Report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board and the legislative provisions.
- 1.5. Following the consultation meeting and the request for closure of this process the SID Board reviewed cases involving 110kV substations and 110kV grid connections. Following this review and the Board's view on the matter, the preliminary view provided to the prospective applicant at the consultation meeting that the proposal would not appear to be SID has been revised. On this basis this report recommends that the proposed development constitutes strategic infrastructure.

2.0 Site Location

- 2.1. The proposed substation development is located on agricultural lands to the southwest of Athlone, north of the M6 motorway and is part of a wider holding which is proposed to accommodate a permitted solar farm. The subject site is currently accessed from a narrow laneway to the south of the site which adjoins and is parallel

to the motorway and which terminates just after the site. The site area of the proposed substation development is stated as c.0.91 hectares. Two options are currently being investigated for the proposed underground cable both of which use the laneway parallel to the motorway for almost half the distance with option 1 staying north of the motorway and going through a mix of farmland and public road before terminating at the existing Monksland substation. Option 2 proposes a route to the south of and under the motorway and rail line utilising a mix of farmland and public roads prior to heading north east towards the existing Monksland substation

3.0 Proposed development

- 3.1. The proposed development would comprise a 110kV tail-fed Air Insulated Switchgear (AIS) electrical substation with associated electrical plant, EirGrid building, Independent power producer (IPP) control building, electrical equipment, battery storage units, lightning masts, welfare facilities, wastewater holding tank, security fencing, provision of new site tracks and all other associated plant and services.
- 3.2. It is stated that the proposed 110kV substation is required to serve the extended Solar Park and would replace the 38kV substation permitted under Ref. 20/36 (see next section). Access is proposed from the L7581 with the entrance permitted as part of the permitted 38kV substation.
- 3.3. The proposed development also includes a 110kV underground cable connection for c.5km to connect the permitted solar park at Taduff west, Athlone into the national grid at the existing Athlone 110kV substation at Monksland, Athlone, Co. Roscommon. Two options are currently being considered (Option A & B) with both options subject to further environmental and engineering feasibility studies and consultation with the Local Authority. All of Option A (5.21km) is north of the M6 motorway whilst Option B (5.84km) is requires HDD crossing of both the railway line and M6 motorway.

4.0 Permitted Solar Farm

Ref. 20/36 - Permission was granted in August 2020 under for the development of a solar PV panel array comprising photovoltaic panels on ground mounted frames

within a site area of 70 hectares, 19 single storey inverter/transformer stations, DSO substation and access road, customer substation, parks container and all associated cabling, tracks and site development works.

Ref. 21/350 – Permission was sought to extend the solar park with an additional area of 60 hectares increasing the export capacity of the development to c80MW. An operational life of 30 years is sought. Further information was requested on 11 August 2021 with the matters arising relating to road safety (TII) and cumulative impacts on road with existing, additional assessment of visual impact and glint and glare.

5.0 Prospective applicants' case

- As outlined above, the proposal seeks to replace the 38kV substation permitted as part of the solar park application.
- Stated that through early discussions with EirGrid that it was determined that there is no existing 110kV infrastructure in the area that would be suitable to 'loop' into to facilitate a grid connection.
- It was advised that a 'tail-fed' connection from the solar farm to the existing 110kV substation in Athlone would be appropriate.
- EirGrid previously advised ABP that similar such 'tail-fed' developments would not function as part of the national grid despite the voltage of same being 110kV.
- As a 'tail-fed' substation does not form a new node, or have any impact on the wider transmission network, it should not be considered to be of strategic importance.
- It is used solely to facilitate the connection of the solar park to the national electricity grid and will not be used to connect any other infrastructure projects.
- ESB Networks would become the asset owner.
- Two options are being investigated for the grid connection route to Athlone 110kV substation at Monksland.
- A review of comparable 'tail-fed' connections considered by the Board was carried out with the precedents outlined (see section 7).

6.0 Pre-Application Consultations

- 6.1. One Consultation meeting was held virtually via MS Teams on 29 September 2021. The prospective applicant's presentation outlined the rationale for the proposed development in light of the permitted and proposed extension to the solar farm. The options being investigated for the grid connection were outlined with Option A currently the preferred option. The Board representatives outlined their preliminary view that the proposal was not likely to be SID. A record of the meeting is on file.

7.0 Relevant Precedents

The following table outlines the precedents that the prospective applicant consider are relevant:

ABP Ref	PA	Description	ABP Decision	Year
VC0103	Wicklow	Replacement 110kV electrical substation	Not SID	2017
VC0100	Galway	110kV electrical substation and underground connection to existing EirGrid substation	Not SID	2017
301420	Laois	110kV tail-fed substation and cable connecting a Solar farm to the national Grid	Not SID	2018
309420	Galway	110kV tail-fed substation and cable connecting a Solar farm to the national Grid	Not SID	2021

8.0 110kV grid connections in Context of Section 182A(9)

- 8.1. Following the pre-application consultation meeting undertaken with the prospective applicant, the SID Board of An Bord Pleanála reviewed recent Section 182A cases in respect of substations and 110kV grid connections particularly in light of differing opinions being offered by prospective applicants regarding the SID status of their project at pre-application stage. I address the legislative provisions below and in particular draw attention to Section 182A(9).

9.0 Legislative provisions

- 9.1. 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 high voltage line where the voltage would be 110 kilovolts or more, or*
- 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".

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”.

10.0 Assessment

10.1. SID or not SID

- 10.1.1. The proposed development comprises a new 110kV substation and underground electricity cable for the purposes of connecting the permitted solar farm to the national grid at the existing Athlone substation at Monksland. The solar farm development was granted permission by Roscommon County Council in August 2020 and was not therefore a Strategic Infrastructure Development itself neither is the current application for an extension to the proposed solar farm which is subject to a further information request.
- 10.1.2. The prospective applicant is seeking a determination from the Board as to whether the proposed 110kV substation and underground cable over a distance of approximately 5km from the proposed substation to the existing Athlone substation via what they refer to as a tail fed connection is or is not strategic infrastructure. The prospective applicant considers that it is not strategic infrastructure development.
- 10.1.3. As outlined above, the Board’s representatives provided a preliminary view at the pre-application consultation meeting that the proposal would not be likely to be considered SID given the precedents provided by the prospective applicant and the similarity of the proposed development to same. However, following that meeting, the SID Board reviewed recent cases with respect to Section 182A(9), which is outlined above and the definition of transmission (section 2(1) of the Electricity Regulation Act, 1999 outlined above) which would provide that new 110kV infrastructure comprising electric plant and high voltage lines, which comprises transmission must be considered SID. On this basis, it is considered that the proposed 110kV substation comprises plant for the purposes of transmitting electricity via 110kV cables to an existing 110kV substation and onto the National Grid.
- 10.1.4. In conclusion, the proposed development comprises electric plant and the provision of transmission lines between the proposed substation and the existing substation and national grid. Therefore, the new substation and associated underground cables will form part of the existing transmission grid. It follows, therefore, that the

substation and the underground cables, in forming part of the 110kV transmission network, constitutes Strategic Infrastructure.

10.2. Environmental Impact Assessment

10.2.1. Section 182A (2) of the Planning and Development Act, 2000 as amended states that *“in the case of development referred to in subsection (1) which belongs to a class of development identified for the purposes of section 176, the undertaker shall prepare, or cause to be prepared, an environmental impact assessment report or Natura impact statement or both that report and that statement, as the case may be, in respect of the development”*.

10.2.2. Annex I & Annex II to Directive 2011/92/EU as amended by 2014/52/EU and Part 1 & Part 2 of Schedule 5 (Planning and Development Regulations 2001, as amended) set out the classes of development for the purposes of EIA.

- Section 20 of Part 1 provides that a mandatory EIAR is required for the *‘Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres’*.
- Section 3(b) of Part 2 provides that a mandatory EIAR is required for *‘Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more’*.

10.2.3. The proposed development of a 110kV substation and underground cables would not come within the projects outlined within either Annex I or Annex II to Directive 2011/92/EU as amended by 2014/52/EU nor is it a class as set out in either Part 1 or Part 2 of Schedule 5 (Planning and Development Regulations 2001, as amended) and therefore a mandatory EIAR is not required. It should also be noted that the permitted generating element of the overall development, the solar farm and proposed extension thereto, is not a class for the purposes of EIA and an EIAR did not therefore accompany that application. It is noted that an EIA Screening Report accompanied the current application for the extension to the permitted solar farm which outlines that an EIAR is not required. In this regard, it is recommended that an EIA Screening Report accompany any application in respect of the subject proposal.

10.3. Appropriate Assessment

10.3.1. The site is not located within any European designated site or nationally designated conservation site. It is outlined in the NIS accompanying the proposed Solar farm extension that watercourses draining the proposed development site are hydrologically connected to downstream EU sites with the potential for significant effects on two sites – River Shannon Callows SAC – 000216 and Middle Shannon Callows SPA – 004096. The prospective applicant is therefore advised to undertake a robust screening to determine whether the proposal is likely to have a significant effect individually or in-combination with other plans or projects on the relevant European sites in view of the aforementioned sites conservation objectives.

10.4. **Prescribed Bodies**

10.4.1. In view of the scale, nature and location of the proposed development, as described in this report, and the options being considered for the cable connecting to the existing substation at Monksland Athlone, 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.

11.0 **Recommendation**

11.1. I recommend that EirGrid plc. be informed that the proposed development, consisting of for a proposed 110kV substation to connect into the existing Athlone 220/110 kV substation at Monksland, Co. Roscommon, including underground cable connection and all associated works as set out in the particulars received by An Bord Pleanála on the 12 July 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 An Bord Pleanála.

Una Crosse

Senior Planning Inspector

16 November 2021

Appendix One

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 for Housing, Local Government and Heritage
- Minister for Environment, Climate and Communications
- Roscommon County Council
- Westmeath County Council
- Transport Infrastructure Ireland
- An Chomhairle Ealaíon
- Fáilte Ireland
- An Taisce
- Heritage Council
- Commission of Regulation of Utilities, Water and Energy
- Irish Water
- Coras Iompair Éireann
- Commission for Railway Regulation
- Railway Safety Commission