



An
Bord
Pleanála

Inspector's Report ABP-311907-21

Development

Proposed underground 110kV transmission line connections between the Kishoge 110kV GIS substation in Ballymakaily, West of Newcastle Road, Lucan, Co. Dublin and the permitted Aungierstown-Castlebaggot underground 110kV transmission line at Grange Castle South Business Park, Baldonnel, Dublin 22.

Location

Ballymakaily, West of Newcastle Road, Lucan, Co. Dublin to Grange Castle South Business Park, Baldonnel, Dublin 22.

Prospective Applicant

Edgeconnex Ireland Limited.

Planning Authority

South Dublin County Council

Type of Application

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

Pre – application meeting

10th February 2022

Inspector

Sarah Lynch

1.0 Pre-Application Consultation

1.1. The Board received a request on 9th November 2021 from the agent John Spain Associates acting on behalf of Edgeconnex Ireland Limited to enter into pre-application consultation under Section 182E of the Planning and Development Act 2000, as amended, in relation to proposed development of an underground 110kV transmission line connection between the Kishoge 110kV GIS substation in Ballymakailly, West of Newcastle Road, Lucan, Co. Dublin and the permitted Aungierstown-Castlebaggot underground 110kV transmission line at Grange Castle South Business Park, Baldonnel, Dublin 22.

1.2. Site Location and Description

1.3. The proposed development would commence at the existing Kishoge substation location and would traverse largely greenfield undeveloped lands southwards towards the townlands of Aungierstown-Castlebaggot where it will connect with the permitted transmission line. The proposed development will cross two road junctions to the northwest of Aungierstown-Castlebaggot on the R120 and on the Baldonnel Road.

2.0 Proposed Development

2.1. The proposed development will involve the construction of an underground 110kV transmission line from Kishoge substation to a transmission line location at Aungierstown-Castlebaggot. The proposed development will be transferred to EirGrid on completion. The proposed development is described as a connection between nodes on the national grid.

3.0 Planning History

ABP - 305948 – 21– permission was granted for a phased development of 4 single storey data halls all with associated plant at roof level, 32 standby generators, office and service areas, service road infrastructure, car parking, ESB substation/transformer yard.

ABP - 309146-21 – permission was granted for 2 no. 110kV transmission lines and a 110kV Gas Insulated Switchgear (GIS) substation at Grangecastle South.

There are multiple permissions relating to Data centre and substation development within the Grange Castle Business park which are adjacent to but unconnected to the proposed development.

4.0 Applicant's Case

4.1. The prospective applicant's case can be summarised as follows:

- The proposed development of the 110kV transmission line forms part of the transmission network. For this reason the prospective applicant considers the development to fall within the scope of section 182 A of the Planning and Development Act 2000, as amended.

5.0 Consultations

5.1. One pre-application meeting was held with the prospective applicant on the 10th February 2022. The Record of the meeting is attached to the file. One presentation was made to the Board's representatives at the meeting which is also attached to the file. The principal matters arising related to the need for the proposal and the issues pertaining to the development in terms of local planning policy, community engagement and potential environmental impacts such as traffic.

5.2. An update on the proposed route for connecting the Kishoge substation to the aforementioned underground transmission lines was provided; the prospective applicant said that the proposed route would be predominantly that as indicated in the pre-application consultation request to the Board (route option 1) which would occur mainly in greenfield areas.

5.3. No concerns were raised in relation to the presence of existing services as the large majority of the route is within greenfield lands.

5.4. It is of note that an extension to the Kishoge substation will form part of a separate application under Section 34 of the P&D Act as amended and will be submitted directly to South Dublin County Council.

6.0 Legislative Provisions

6.1. Section 2(1) of the Planning and Development Act 2000, as amended ('the Act'), defines 'strategic infrastructure' as including, *inter alia*:

“any proposed development referred to in section 182A(1)”

6.2. Under subsection 182A(1) of the Act, where a person (the 'undertaker') intends to carry out development comprising or for the purposes of electricity transmission, the undertaker shall prepare, or cause to be prepared, an application for approval of the development under section 182B and shall apply to the Board for such approval accordingly.

6.3. Subsection 182A(9) 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.”

6.4. The following definitions, as set out in section 2(1) of the Electricity Regulation Act, 1999, as amended, are noted:

- **'Transmission':**

“...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 Board¹ 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.”

¹ For clarity, references to the 'Board' in this instance relate to the Electricity Supply Board.

- **‘Distribution’:**

“...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’:**

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

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(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 a consumer”

- **‘Electric Line’:**

- Section 2(1) of the 1999 Act, as amended, states that ‘electric line’ has the meaning assigned to it by section 4(1) of the ESB (Electronic Communications Networks) Act 2014. The definition set out in s. 4(1) of the 2014 Act is as follows:

“...any line which is used solely or amongst other things for carrying electricity for any purpose and as including—

(a) any support for any such line, that is to say, any structure, pole or other thing in, on, by or from which any such line may be supported, carried or suspended,

(b) any apparatus connected to or associated with any such line for the purpose of carrying electricity or electronic communications services, whether such apparatus is owned by the Board or by any company referred to in section 2 or by a company which has been provided access or services referred to in section 3, or

(c) any wire, cable, tube, pipe or similar thing (including its casing or coating) which is used for the purpose of carrying electricity or electronic communications services and which surrounds or supports or is surrounded

or supported by, or is installed in close proximity to, or is supported, carried or suspended in association with, any such line.”

7.0 Planning Policy

7.1. South Dublin County Council Development Plan, 2016-2022

- 7.1.1. The subject site is zoned ‘EE’ where the objective is *“to provide for enterprise and employment related uses.”* Enterprise centres, industry and public services are among the uses permitted in principle under this zoning objective. Table 11.18 sets out key principles for access and movement, open space and landscape, built form and corporate identity for development within Enterprise and Employment Zones. This includes the retention of important natural features and the provision of natural buffers, as well as building heights responding to the surrounding context.
- 7.1.2. Economic and Tourism (ET) Policy 3 Enterprise and Employment (EE) under Section 4.3.3 states that *“it is the policy of the Council to support and facilitate enterprise and employment uses (high-tech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.”* Objective 2 under this policy seeks *“to prioritise high tech manufacturing, research and development and associated uses in the established Business and Technology Cluster to the west of the County (Grange Castle and Citywest areas) to maximise the value of higher order infrastructure and services that are required to support large scale strategic investment.”* Objective 5 seeks *“to ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.”*
- 7.1.3. Energy (E) Policy 11: Service Providers and Energy Facilities under Section 10.2.9 states that *“it is the policy of the Council to ensure that the provision of energy facilities is undertaken in association with the appropriate service providers and operators, including ESB Networks, Eirgrid and Gas Networks Ireland. The Council will facilitate the sustainable expansion of existing and future network requirements, in order to ensure satisfactory levels of supply and to minimise constraints for development.”*

- 7.1.4. There is a 6-year roads objective for the construction of the New Nangor Road and Baldonnel Road extensions. These roads have now been completed in the vicinity of the site.

7.2. Environmental Impact Assessment & Appropriate Assessment

- 7.3. Schedule 5 of the Planning and Development Regulations, 2001 (as amended) transposes Annex I and II of the EIA Directive and sets out prescribed classes of development, for which an environmental impact assessment is required. The proposed development does not fall within the classes outlined within said schedule, however the prospective applicant stated within the pre-application meeting that an EIAR has been prepared as the proposed works are connected with the development that was subject to EIA, and it was therefore considered prudent to prepare an EIAR to adequately examine any cumulative impacts. The applicant stated within the pre planning meeting that consideration of the O’Grianna high court judgement was key to their decision regarding the preparation of an EIAR.

7.4. Natural Heritage Designations

- 7.4.1. The Grand Canal proposed Natural Heritage Area is located approximately c.100m north of the subject site. The Rye Water Valley/ Carton SAC (Site code: 001398) is the nearest European Site located approximately 4.9km north-west of the subject site. The River Griffeen is a tributary of the River Liffey which flows into Dublin Bay c. 15km east of the development site.
- 7.4.2. An Appropriate Assessment screening will be submitted with any future application.

8.0 Assessment

8.1. Strategic Infrastructure

- 8.2. This pre-application consultation concerns the development a 110kV transmission line and connection to the national grid. The transmission link will be provided via an underground cable with a small section of overground cable within the site of the existing Kishoge Substation where it will connect into a proposed extension to this

substation which will form part of a Section 34 application directly to South Dublin County Council.

- 8.3. 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. I note that no threshold is set in respect of a substation.
- 8.4. With regard to the electricity transmission line, I note that the prospective applicant has stated that the substation and connection point will become nodes on the national transmission grid, transmitting electricity in both directions. Having regard to the information submitted and that presented during the course of the pre-application meeting I consider that the proposed 110kV transmission cable will become an integral part of the national grid transmission infrastructure, the prospective applicant's correspondence is clear in this regard.
- 8.5. I conclude that the substation, in forming such a node and in comprising a high voltage line where the voltage would be 110 kilovolts or more, as per Section 182A(9) of the Planning and Development Act, as amended, constitutes Strategic Infrastructure.
- 8.6. **Prescribed Bodies**
- 8.7. 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.

9.0 Recommendation

I recommend that Edgeconnex Ireland Limited be informed that the proposed development consisting of an underground 110kV transmission line connection between the Kishoge 110kV GIS substation in Ballymakailly, West of Newcastle Road, Lucan, Co. Dublin and the permitted 110kV transmission line at Aungierstown-Castlebaggot Grange Castle South Business Park, Baldonnel, Dublin 22, as set out in the plans and particulars received by An Bord Pleanála on the 9th November 2022, does fall 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.

Sarah Lynch
Senior Planning Inspector

21st February 2022

Appendix 1

The following is a list of prescribed bodies considered relevant by the Board.

- Minister for Housing, Local Government and Heritage
- Minister for Communications, Climate Action and Environment
- Transport Infrastructure Ireland
- South Dublin County Council
- Irish Water
- Irish Aviation Authority
- Commission for Regulation of Utilities

Further notifications should also be made, where deemed appropriate.

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