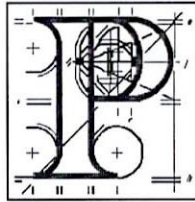


An Bord Pleanála



Inspector's Report.

Case Ref. No:	ABP-312348-22
Issue:	SID Pre-application – whether project is or is not strategic infrastructure development.
Proposed Development:	Construction of three new 110kV circuits – Newbury-Ballystruan, Ballystruan-Forest Little, Forest Little-Belcamp
Location:	Between Forest Little, Belcamp, Clonshaugh and Harristown, County Dublin
Applicants:	Electricity Supply Board
Planning Authority:	Fingal County Council & Dublin City Council
Inspector:	Kevin Moore

1.0 Introduction

- 1.1. The Board received a request on 23rd December, 2021 from the Electricity Supply Board (ESB) to enter into pre-application consultation under section 182E of the Planning and Development Act 2000, as amended, in relation to proposed development consisting of the construction of three new 110kV circuits as follows:
- Newbury - Ballystruan 110kV
 - Balltstruan – Forest Little 110kV
 - Forest Little – Belcamp 110kV.
- 1.2. One Pre-Application Consultation meeting took place between An Bord Pleanála (the Board) and the prospective applicant on 9th March 2022.
- 1.3. This Report is prepared following the request by the prospective applicant to close the Pre-Application Consultations between the applicant and the Board. This Report provides an overview of the proposed project, details of the legislative provisions, a summary of the meeting and the advice provided by the Board, and recommends a list of Prescribed Bodies who should be forwarded copies of the application.

2.0 Proposed Development

- 2.1. The proposed development is linear in nature, involving the installation of high voltage underground electricity cables at various locations between Forest Little, Belcamp, Clonshaugh and Harristown in Dublin. The proposal comprises the construction of three new 110kV circuits as follows:
- Newbury - Ballystruan 110kV

- Ballystruan – Forest Little 110kV
- Forest Little – Belcamp 110kV.

2.2. The cables would be 110kV, with an additional 220kV identified to also be provided for the Forest Little – Belcamp Circuit. The cable circuits would be installed along a mixture of public roads and private land, with the latter primarily in the ownership of the Dublin Airport Authority. They would provide connections to two new proposed substations to be named Forest Little 110kV substation located at MetroLink North Portal in Cloghran and Ballystruan 110kV substation located at MetroLink Dardistown in Ballystruan.

2.3. The purpose of the proposed development is to accommodate the connection of two new permanent 110kV substations that would primarily be required for the MetroLink project. MetroLink requires the construction of two new 110kV GIS substations in north Dublin at locations to be identified, secured and consented by Transport Infrastructure Ireland. The new substations would be supplied with electricity from ESB by way of the new underground cable routes from existing substations in the area.

3.0 Legislative Provisions.

Planning and Development Act 2000, as amended

Section 2

Section 2(1) of the Act defines ‘strategic infrastructure’ as including, inter alia: “any proposed development referred to in section 182A(1)”.

Section 182A

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.

Subsection 182A(9) states:

“...‘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.”*

Electricity Regulation Act 1999, as amended

‘Transmission’ is defined in section 2(1) of the Electricity Regulation Act, 1999, as amended, 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, 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.”

4.0 Pre-Application Consultation

- 4.1. At the meeting held on 9th March 2022, the prospective applicant provided an outline of the need for pre-application consultation, the rationale for the project, and an overview of the proposed development, including the nature and extent of the proposed circuits and the proposed routing. Matters discussed included routing corridors, way leave agreements, public consultation, and separation of the application for the project from the MetroLink project. The prospective applicant clarified that the need for environmental impact assessment and appropriate assessment was premised upon the cumulative effects with the MetroLink project.
- 4.2. Following this meeting, the applicant forwarded a map showing a potential underground cable route alternative relating to the Forest Little to Belcamp Cable Route. It has been clarified that it is proposed to consider this alternative, along with the original proposal, in the planning application to the Board.

5.0 Conclusion

- 5.1. I first note that the proposed development meets the definition of electricity transmission under section 2(1) of the Electricity Regulation Act 1999 and, as such, it would fall under section 182A of the Planning and Development Act and would be deemed to be strategic infrastructure development.
- 5.2. Following the insertion of Section 182E into the Planning and Development Act 2000, as amended, a prospective applicant who proposes to apply for approval under section 182B is required, before making an application, to enter into consultation with the Board in relation to the proposed development. Under this provision, the Board may give advice to the prospective applicant regarding the proposed application and, in particular, regarding procedures involved in the making of such an application and what considerations, related to the proper

planning and sustainable development or the environment, may, in the opinion of the Board, have a bearing on its decision in relation to the application. During the meeting held advice was provided as noted on the file attached.

- 5.3. The applicant now wishes to close the consultation stage and, following this stage, the applicant may apply to the Board for the approval of the construction of the proposed three 110kV circuits at various locations between Forest Little, Belcamp, Clonshaugh and Harristown.
- 5.4. I recommend that ESB be informed that the proposed development, consisting of the construction of three new 110kV circuits referred to as Newbury - Ballystruan 110kV, Ballystruan – Forest Little 110kV, and Forest Little – Belcamp 110kV, as set out in the plans and particulars received by An Bord Pleanála on the 23rd December 2021 and 23rd September 2022, falls within the scope of section 182A of the Planning and Development Act 2000, as amended.
- 5.5. The Board may consider recommending to ESB a list of Prescribed Bodies who should be forwarded copies of the application documentation, and I recommend the following:
 - (a) Department of Transport
 - (b) Department of the Environment, Climate and Communications
 - (c) Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media
 - (d) Department of Housing, Local Government and Heritage
 - (e) Dublin City Council
 - (f) Fingal County Council
 - (g) Transport Infrastructure Ireland
 - (h) Irish Water
 - (i) An Chomhairle Ealaíon
 - (j) Fáilte Ireland
 - (k) An Taisce
 - (l) Heritage Council
 - (m) The Commissioners of Public Works

- (n) Dublin Airport Authority
- (o) EirGrid
- (p) Health Service Executive
- (q) Health and Safety Authority
- (r) Inland Fisheries Ireland
- (s) Eastern and Midland Regional Assembly
- (t) National Transport Authority
- (u) Commission for Regulation of Utilities
- (v) Commission for Railway Regulation



Kevin Moore

Senior Planning Inspector.

14th December, 2022.