



An
Bord
Pleanála

Inspector's Report ABP-312860-22.

Development	Proposed 110 KV substation and grid connection options.
Location	Site of proposed Friarstown Solar and Storage Park at lands in Friarstown and Ardnehue , Co. Carlow.
Prospective Applicant	Elgin Energy Services Limited.
Planning Authority.	Carlow County Council.
Type of Application	Pre-Application consultation under section 182E of the Planning and Development Act 2000, as amended.
Date of Site Inspection	26 April 2022.
Inspector	Mairead Kenny.

1.0 Overview

The Board on 24 February 2022 received a request to enter into pre-application consultation under section 182E of the Planning and Development Act 2000 as amended in relation to the proposed 110kV substation and options for underground cable connection to an existing 220kV substation. The site of the proposed substation would be within the land holding of the proposed Friarstown Solar and Storage Park development, which is under consideration by Carlow County Council.

A virtual meeting was held with the prospective applicant on 26 May 2022.

Closure of the pre-application consultation was requested by letter dated 13 June 2022.

2.0 Site Location and Description

The site is in a rural area in county Carlow where the dominant agricultural use is tillage. The topography is flat, and the subject site comprises lands positioned in the centre of a large area of farmland, and which is accessed by way of an agricultural lane connecting to the public road.

The local road network in the vicinity of the site comprises the regional road R726 between Carlow town which is to the west of the nearby M9 and the village of Killerrig which is to the east.

The site of the proposed substation lies within lands to be developed as Friarstown Solar and Storage Park.

The substation site defined comprises a rectangular plot of land positioned close to some agricultural buildings and close to a plot of land used for bee keeping. The subject lands are presently in agricultural use.

3.0 Proposed Development

The details of the proposed development are described in the documentation presented by Tobin Consulting Engineers on behalf of the prospective applicant Elgin Energy Services Ltd.

The layout of the proposed Friarstown Solar and Storage Park is shown on the pre-application drawings and the subject substation would be centrally located and close to an overhead powerline.

The proposed development is described as follows:

- A proposed AIS 110kV electrical substation and grid connection options.

The submission presented with the pre-application documentation showed two potential options for the grid connection. It emerged during discussion at the pre-application meeting that a third option was under consideration. That option was described to the Board's representatives who recommended that a map be submitted to the Board for inclusion on the file and that this could be submitted subsequent to the meeting. That map was received on 31 May 2022.

The options for the grid connection include routing along the R726.

4.0 Planning History

A planning application has been lodged with Carlow County Council in relation to the Friarstown Solar and Storage Park and the applicant has advised that a decision is anticipated by the end of June. The proposed substation would be centrally located and close to an overhead powerline in the middle of the proposed Friarstown Solar and Storage Park. The latter development is described as a 50MW solar farm site.

Under ABP-309987-21 permission was granted for development of a solar farm at lands to the south of the proposed Friarstown Solar and Storage Park and on an overall site of 65.6 hectares. This site is stated to partly overlap with the site of a previous permission under reg. ref. 1632 (see below).

A number of planning applications for solar farm developments were granted permission by the planning authority including under reg. ref. 1632 (November 2017), 1946 (June 2020).

5.0 Prospective Applicant's Submission

The prospective applicant states that the development is 'transmission' and the proposed development must therefore be subject of an application to An Bord Pleanála under section 182A.

6.0 Relevant Legislation

Section 182A (1) of the 2000 Act (inserted by section 4 of the 2006 Act) provides that 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.

Subsection 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.

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 110 kV substation and options for grid connection by way of 110kV cable.
- 7.2. I consider that the proposed 110kV substation would be described as electric plant as defined in relevant legislation. The proposed development includes high voltage lines of 110 kV.
- 7.3. I consider that the proposal meets the definition of electricity transmission under section 2 (1) of the Electricity Regulation Act 1999. As such it would fall under section 182A of the PDA and would be deemed to be strategic infrastructure development.
- 7.4. 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 directly to the Board.
- 7.5. I attach an Appendix which contains a list of relevant prescribed bodies.
- 7.6. I note that the prospective applicant has indicated that it is anticipated that the application would be accompanied by a NIS but that it is not anticipated that the development will be subject to EIA.

8.0 **Recommendation**

- 8.1. I recommend that the prospective applicant Elgin Energy Limited be notified that the proposed development consisting of a 110 kV substation and grid connection options at Friarstown and Ardnehue, Co. Carlow as described in the documents received by the Board on 24 February 2022 and 31 May 2022 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

15 June 2022

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 the Environment, Heritage and Local Government
- Minister for Communications, Marine and Natural Resources
- Carlow County Council
- Transport Infrastructure Ireland
- Commission for Regulation of Utilities, Water and Energy
- Irish Water
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- Inland Fisheries Ireland