



An  
Bord  
Pleanála

## Inspector's Report ABP-313931-22

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| <b>Development</b>              | Upgrading of the existing Derryiron<br>110 kV electrical substation   |
| <b>Location</b>                 | In the townland of Clonin and Coolcur,<br>Co. Offaly  |
| <b>Planning Authority</b>       | Offaly Co. Co.  |
| <b>Prospective Applicant(s)</b> | Eirgrid plc   |
| <b>Type of Application</b>      | SID Pre-Application Consultation<br>request under S.182E of the planning<br>and Development Act 2000, as<br>amended |
| <b>Inspector</b>                | Conor McGrath   |

## 1.0 Introduction

The Board received a request on 29th June 2022 from EirGrid plc. to enter into a pre-application consultation under section 182E of the Planning and Development Act 2000, as amended, in relation to a proposed development consisting of the upgrading of the existing Derryiron 110 kV electrical substation, at Clonin and Coolcur, Co. Offaly.

This report provides an overview of the proposed development, relevant precedents and legislative provisions and recommends that the proposed development does not constitute strategic infrastructure. A pre-application consultation meeting was not considered necessary in this instance.

## 2.0 Site Location and Description

The proposed development relates to the existing Derryiron 110kV Station in the townland of, Clonin and Coolcur, approximately 1.4km northwest of Rhode, Co. Offaly. The site is adjacent to Rhode gas/oil-fired Power Station and is accessed from the R400 to the east via a shared roadway. Lands to the west have been subject to extensive peat extraction in the past. The area between the site and the R400 and nearby settlement comprises agricultural lands and mature hedgerow / trees.

## 3.0 Proposed Development

The proposed development comprises the upgrading of the existing Derryiron 110 kV Electrical Substation. The development is described as consisting of the following:

- 1) Installation of additional Air Insulated Switchgear (AIS) electrical apparatus to facilitate a 110 kV busbar and associated extension to the hardstand compound (approximately .05 hectares) to facilitate same. This includes:
  - a) installation of no. 3 additional bays, each consisting of busbar disconnects, sectionalisers, circuit breakers (CB), current transformer (CT), voltage transformers (VT), line traps, coupling capacitors and other electrical apparatus

- b) an extension to the existing control building (approximately 70 m<sup>2</sup>) to consist of a control room extension for cabinets and other electrical apparatus and a battery room.
- 2) renewal, alteration and removal of associated 110 kV electrical equipment including batteries and chargers, insulators, instrument transformers, overhead conductors, disconnectors, circuit breakers, surge arrestors, line traps, lightning masts and filter reactors as required.
- 3) All ancillary site development works including site preparation works, site clearance and levelling; hardstanding, internal access tracks and temporary construction compound; underground cabling and earthgrid, surface water drainage network including a soakaway; palisade (approx. 2.6m high) fencing and gates; lighting poles and landscaping as required to facilitate the development.

The prospective applicants indicate that the proposed development will be subject to detailed screening assessments and express the preliminary view that Appropriate Assessment will not be required in relation to the proposed development. It is similarly not expected an Environmental Impact Assessment will be required.

#### 4.0 **The Nature of the Request**

The Board is requested by EirGrid to advise as to whether or not the proposed development constitutes Strategic Infrastructure Development in accordance with the provisions of section 182A of the Planning and Development Act 2000, as amended or whether an application for permission should be made to the local authorities for the respective areas in accordance with the provisions of s.34 of the Planning and Development Act, 2000, as amended.

#### 5.0 **Relevant Planning History**

ABP-309491-21; Permission granted for 110kV substation at Srah, associated 110kV underground grid connection to Derryiron substation, cabling and associated works, in the townlands of Srah, Coolcor and Clonin, Rhode, Co.Offaly.

Lands to the west of the site were subject of applications for leave to apply for Substitute Consent and for Substitute Consent in respect of Peat Extraction in the

Derrygreenagh Bog. The application for consent was withdrawn following a decision of the High Court in relation to the decision to grant leave to apply.

## 6.0 Case made by Prospective Applicant

The prospective applicants note the following points in respect of the proposed development:

- A transmission network reinforcement is required in relation to the power transfer across the 110kV busbar to maximise these assets and ensure a secure supply of electricity for the area.
- The 110kV busbar is the limiting component of the station as it restricts the power that can flow on the three 110 kV/circuits connected to it and it therefore limits generation capacity in the area.
- The capacity of the busbar is at risk of power flows in excess of its thermal rating.
- The most onerous contingency is the loss of the Cushaling – Newbridge 110 kV circuit. This can result in overloads on the Derryiron 110kV busbar, which breaches the Transmission System Security Planning Standards (TSSPS).
- The development will be subject to detailed screening assessments. The preliminary view is that Appropriate Assessment will not be required.
- It is not expected Environmental Impact Assessment will be required.
- While of benefit to the transmission network, the development is essentially an enhancement of existing substation infrastructure.
- The development would not be of a form or appearance incongruous to the established substation infrastructure.
- The development would not, in of itself, be of strategic economic or social importance to the State or the region in which it would be situated.
- It could comprise exempted development under s.4(1)(g) other than the requirement for an extension to the existing station compound.
- The Board have previously determined that additional equipment, which is an enhancement of established transmission infrastructure (substations and compounds), did not fall within the scope of section 182A.
- Given the nature, scale and function of the development and its relationship to the existing substation, the development does not comprise strategic infrastructure.

- It does not meet any other provisions for Strategic Infrastructure Development set out in Section 37(A)(2) of the Planning and Development Act 2000, as amended.

## 7.0 Relevant Precedent Cases

The following cases are cited by the prospective applicants wherein the Board determined that the proposed developments did not comprise strategic infrastructure:

- VC0040: Redevelopment of the existing 220 kV Finglas Electrical Substation;
- VC0055: Redevelopment of the existing 400 kV Moneypoint Electrical Substation;
- VC0061: Redevelopment of the existing 110 kV Ardnacrusha Electrical Substation;
- VC0070: New Reactors at existing Poolbeg 220/110 kV Electrical Substation.
- VC0101: Redevelopment of the existing 220 kV Inchicore Electrical Substation;
- VC0109: New Reactor at the existing Knockanure 220 kV Electrical Substation;
- VC0110: Redevelopment of the existing 110 kV Galway Electrical Substation;
- 301174: New STATCOM devices at three existing electrical substation sites;
- 300928: Redevelopment of the existing 110 kV Kilbarry Electrical Substation;
- 303148: Installation of series capacitors at three existing 400 kV electrical substations.

In addition, I note the following cases which were determined not to fall within the scope of section 182A of the Planning and Development Act 2000:

- ABP-311950-21: Modification and upgrade of the Dalton 110kV Substation Location Townland of Clare (Claremorris), Co. Mayo.
- **ABP-306908-20**: Development of a 110kV control room at the existing Trien 220/110 kV electricity substation and associated works at Trienearagh, Co. Kerry.
- **ABP-303838-18**: 110 kV bay to connect to the existing busbar at Dunmanway 110 kV substation, Co. Cork.
- **ABP-301876-18**: Refurbishment and upgrade of a 220/110kV Air Insulated Switchgear Electrical Substation and associated works at the existing 220/110 kV Maynooth Electrical Substation.

- **ABP-300928-18:**Development of a 110kV Gas Insulated switchgear (GIS) Electrical substation and associated works at the existing 110kV Kilbarry Electrical substation, at Old Whitechurch Road, Cork.

## 8.0 Legislative Provisions

Section 2(1) of the Planning and Development Act 2000, as amended defines 'strategic infrastructure' as including, inter alia: "(d) any proposed development referred to in section 182A(1)"

Section 182A(1) of the Act provides that, 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 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 182E(1) provides that a prospective applicant who proposes to apply for approval under section 182B or 182D shall, before making the application, enter into consultations with the Board in relation to the proposed development.

Section 2(1) of the Electricity Regulation Act 1999, as amended sets out the following definitions:

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 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’: “.....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
- (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” means any line which is used solely or among other things for carrying electricity for any purpose and includes—

- (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 any such line for the purpose of carrying electricity or other services, and
- (c) any wire, cable, tube, pipe or similar thing (including its casing or coating) 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.

“distribution” means 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 switchgear and which is used for conveying electricity to final customers.

## 9.0 **Assessment**

As noted above, ‘strategic infrastructure’ is defined as including development comprising or for the purposes of electricity transmission, with ‘transmission’ defined as either:

- The transport of electricity by means of a high voltage line of 110 kV or more, or an interconnector.
- The transport of electricity by means of a transmission system (a system of high voltage lines and electric plant 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, including interconnectors but excluding distribution system lines).

Based on the information accompanying the request, I consider that the existing Derryiron 110kV substation comprises part of the electricity transmission system for the purposes of the Act.

The proposed development is of a relatively minor nature, comprising upgrades to the existing substation in order to ensure that it operates within Transmission System Security Planning Standards (TSSPS). The enhancements will improve power transfer across the 110kV busbar and provide for increased generation capacity in the area. The works occur at a low level relative to existing substation infrastructure and are located predominantly within the existing compound, with only a minor extension to the compound required on its southern and western sides. The existing control room will be extended by approx. 70-sq.m. on its northern side. There will be no significant landscape or visual impacts arising, or changes in the character of the site. Existing transmission operations or function of the substation will not change materially as a result of the proposed development.

The Board has previously determined a considerable number of requests for pre-application consultation in relation to proposed improvement / refurbishment / upgrade works at existing substations. Generally, the Board has determined that such development does not fall within the scope of section 182A of the 2000 Act, as amended and consequently that planning applications should be made in the first instance to the local planning authority.

The current request similarly relates to the upgrade and enhancement of an existing substation. I consider that the proposed upgrade and enhancement are of a type and scale that would reasonably be expected to be undertaken as part of the system operator's routine maintenance and upgrade regime. The prospective applicant's express the opinion that apart from the proposed extension to the existing control room, the development could be regarded as exempted development under s.4(1)(g) of the Act.

Having regard to the limited nature, scale and purpose of the proposed development,



the fact that it relates to works to an existing substation, and noting previous determinations by the Board in respect of similar requests for pre-application consultation requests, I do not consider that it would constitute strategic infrastructure development as defined in the Act of 2000, as amended. I conclude, therefore, that it does not fall within the scope of s. 182A of the Planning and Development Act 2000, as amended, necessitating the making of an application directly to the Board.

#### **10.0 Conclusion**

I conclude that the proposed development would not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating the making of an application directly to the Board.

#### **11.0 Recommendation**

I recommend that the prospective applicant, EirGrid plc., be informed that the proposed development, consisting of the upgrading of the existing Derryron 110 kV electrical substation, in the townland of Clonin and Coolcur, Co. Offaly as set out in the plans and particulars received by An Bord Pleanála on the 29/06/2022, does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that planning applications should be made in the first instance to the relevant planning authorities.

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Conor McGrath SPI

08/07/2022