



An  
Bord  
Pleanála

## Inspector's Report ABP-314400-22

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<b>Development</b>	Proposed 38kV-to-110kV step-up transformer, and extension to the substation, at the existing Srananagh 110/220kV electricity substation.
<b>Location</b>	Srananagh 110/220kV substation, Ballysumaghan, Co. Sligo.
<b>Planning Authority</b>	Sligo County Council
<b>Prospective Applicant(s)</b>	FuturEnergy Croagh Designated Activity Company
<b>Type of Application</b>	Pre-application consultation under section 182E of the Planning & Development Act, 2000 (as amended)
<b>Inspector</b>	Anthony Kelly

## **1.0 Introduction**

- 1.1. The prospective applicant requested pre-application consultation on 17<sup>th</sup> August 2022 under section 182E of the Planning & Development Act, 2000 (as amended). The request was submitted by MKO on behalf of the prospective applicant. Pre-application consultation took place between the Board and the prospective applicant on 11<sup>th</sup> October 2022. The prospective applicant formally requested closure of the pre-application process by written correspondence received by the Board on 25<sup>th</sup> October 2022.
- 1.2. The primary purpose of the meeting was to outline the details of the proposal and to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the Planning & Development Act, 2000 (as amended) and 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 to outline the procedures involved in making any application.
- 1.3. This report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board's representatives at that meeting, and the legislative provisions. It provides a recommendation that the Board determine that the proposed development does not fall within the definition of development under s182 of the Act.

## **2.0 Proposed Development**

- 2.1. The proposed development would comprise a 38kV-to-110kV step-up transformer and connection works at the substation, and an extension to the substation, to facilitate the connection of a 38kV underground grid connection from the proposed Croagh wind farm.
- 2.2. Planning permission for a 10-turbine wind farm (eight turbines in Co. Leitrim and two turbines in Co. Sligo) was granted permission by the respective planning authorities. Both of these grants were appealed to the Board and decisions on both cases are awaited. The development proposal includes an on-site 38kV electrical substation connected via underground grid connection cabling to the existing Garvagh Glebe

substation, Co. Leitrim. The applicant now wishes to pursue a grid connection between the proposed on-site substation and the Srananagh 110/220kV substation.

### **3.0 Site Location and Description**

- 3.1. The Srananagh substation is located in a rural, generally agricultural area, approx. 8.5km north west of the proposed Croagh wind farm, and approx. 6km east of Collooney village.

### **4.0 Planning History**

- 4.1. The two planning applications relevant to the proposed Croagh wind farm development are:

P.A. Reg. Ref. 20/120 / ABP Reg. Ref. ABP-310789-21 – A ten year permission for a 30-year operational life was granted by Leitrim Co. Co. to Coillte CGA for eight wind turbines with a maximum overall blade tip height up to 170 metres, 38kV electrical substation, underground electrical and communications cabling from the turbines to the proposed substation, connection of the wind farm to the national grid via underground cabling to the existing Garvagh substation, upgrade of tracks and roads and new site access roads, borrow pit, recreation and amenity works etc. This is subject of first and third party appeals to the Board. No decision has been made to date.

P.A. Reg. Ref. 20/251 / ABP Reg. Ref. ABP-310788-21 – A ten year permission for a 30-year operational life was granted by Sligo Co. Co. to Coillte CGA for two wind turbines with a maximum overall blade tip height up to 170 metres, a meteorological mast with a maximum height of up to 100 metres, underground electrical and communications cabling from the turbines to the proposed substation in Co. Leitrim, upgrade of existing roads, new roads, recreation and amenity works etc. This is subject of first and third party appeals to the Board. No decision has been made to date.

## 5.0 Legislative Provisions

- 5.1. Under s182A(1) of the Planning & Development Act, 2000 (as amended) (inserted by s4 of the Planning & Development (Strategic Infrastructure) Act, 2006), where a person, thereafter referred to as the 'undertaker', intends to carry out development comprising or for the purposes of electricity transmission, the 'proposed development', the undertaker shall prepare, or cause to be prepared, an application for approval of the development under s182B and shall apply to the Board for such approval accordingly.
- 5.2. S182A(9) states that 'transmission' shall be construed in accordance with s2(1) of the Electricity Regulation Act 1999 'but, for the purposes of this section ... 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'.
- 5.3. S2(1) of the Electricity Regulation Act 1999 defines 'transmission', in relation to electricity, 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' (Commission – Commission for Energy Regulation, Board – Electricity Supply Board; ESB).
- 5.4. '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 switchgear and which is used for conveying electricity to final customers'.
- 5.5. 'Electric line' – S2(1) of the 1999 Act, (as amended), states that 'electric line' has the meaning assigned to it by s4(1) of the ESB (Electronic Communications Networks) Act

2014. This is defined as 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’.

5.6. ‘Electric plant’ is defined as ‘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 ...’

5.7. S182E sets out procedures in advance of seeking approval under s182B. Subsection (1) states that a prospective applicant who proposes to apply for approval under s182B ‘shall, before making the application, enter into consultations with the Board in relation to the proposed development’.

## 6.0 Prospective Applicant’s Submission

6.1. The proposed Croagh wind farm development includes an on-site 38kV electrical substation. The planning applications seek a connection via underground cabling to the existing Garvagh Glebe electrical substation. The prospective applicant now wishes to pursue a grid connection between the proposed on-site substation and the Srananagh 110/220kV substation. A new 38kV-to-110kV step up transformer along with the necessary control and protection switchgear would be required to facilitate

connection with the 110kV side of the substation, along with an extension of the substation.

- 6.2. The prospective applicant is of the opinion that the proposed development does not comprise strategic infrastructure given previous Board determinations on similar requests for proposed improvement/refurbishment/upgrade works to existing electrical infrastructure.
- 6.3. The applicant wishes to seek a determination from the Board as to the strategic infrastructure status, or otherwise, of the proposed development, and if the initial opinion is that it is strategic infrastructure, what would be required as part of a planning application.

## **7.0 Pre-Application Consultation**

- 7.1. One online consultation meeting was held on 11<sup>th</sup> October 2022. Full detail of the meeting and matters raised are contained in the Board's Record.
- 7.2. The meeting's Chair outlined the general procedures in relation to the pre-application consultation process. The prospective applicant outlined the background to the applicant and provided a description of the proposed development. The prospective applicant does not consider the proposed development comprises strategic infrastructure and referred, inter alia, to previous decisions by the Board relating to proposed improvement/refurbishment/upgrade works to existing electrical infrastructure and the limited nature and scale of the proposed development.
- 7.3. Some matters discussed after the presentation included:
  - The prospective applicant clarified that the specific proposal it was seeking a determination on was the step-up transformer and substation extension, and not the proposed underground grid connection from the proposed wind farm.
  - The prospective applicant outlined reasons for the proposed grid connection route, as there appears to be a shorter route available. Issues such as technical constraints at bridges and landowner consent were referenced, but it was possible a shorter route could be used.

- The prospective applicant clarified that the grey coloured footprints on page 8 of the presentation were possible alternative locations and not potential additional transformers.
- The prospective applicant outlined the reasoning behind the proposal to connect to the Srananagh substation in lieu of the Garvagh Glebe substation e.g. capacity, future EirGrid plans.

## 8.0 Assessment

- 8.1. Further to the differences in the proposals the applicant was seeking a determination on between the original submission received by the Board on 17th August 2022, and that described in the applicant's presentation on 11th October 2022, it was clarified by the applicant at the pre-application consultation that the proposed development that is subject of this s182E request comprises the proposed step-up transformer and connection works at the existing Srananagh 110/220kV substation facilitating the connection of the proposed 38kV cable from the proposed Croagh wind farm, but not the underground grid connection itself.
- 8.2. Development comprising strategic infrastructure development is development which exceeds a certain specified threshold as set out in the seventh schedule of the Planning & Development Act, 2000 (as amended), but which also includes specific categories of electricity transmission as set out in s182A (9) of the Act.
- 8.3. The purpose of the proposal subject of this application is to provide a step-up transformer and connection works to facilitate connection of a 38kV underground grid connection from the proposed Croagh wind farm to the national grid. I note that the proposed wind farm itself is not of strategic infrastructure development (SID) scale; therefore connecting its' output to the grid could not be considered to be of strategic economic or social importance to the region or state, would not contribute substantially to any National Planning Framework or Regional Spatial and Economic Strategy objectives, and would not have a significant impact on the area of more than one planning authority, as per s37A of the 2000 Act.

- 8.4. Further, I do not consider that a facilitating development of this limited scale would come under the definition of electricity transmission as per the 2000 Act. The proposed transformer would allow a 38kV line to be connected into the 110kV substation. This would involve limited works in the context of the existing substation, as shown on the 'Proposed Layout' drawings provided by the applicant. The step-up transformer solely allows a sub-threshold electricity line to be connected to an existing substation. This does not satisfy the requirement for such a transformer to be deemed as a piece of strategic infrastructure equipment.
- 8.5. The applicant does not consider the proposed development to comprise strategic infrastructure. The applicant considers the proposed works to comprise a minor upgrade to the existing substation which would not materially change the existing function of the substation. The proposal involves works within a substation of a limited nature and scale.
- 8.6. Therefore, having regard to the fact that the proposed wind farm itself is not an SID development, to the limited nature and scale of the proposed development, the fact that it relates to an existing substation and transmission infrastructure, the stated purpose of the Planning & Development (Strategic Infrastructure) Act 2006 as set out in its long title (inter alia, 'an Act to provide ... for the making directly to An Bord Pleanála of applications ... of strategic importance to the State ...), and to the criteria for strategic infrastructure development set out in section 37A(2) of the 2000 Act, I conclude that the proposed development would not fall within the scope of s182A of the Planning & Development Act, 2000 (as amended), and would not necessitate the making of an application directly to the Board.

## 9.0 Recommendation

- 9.1. I recommend that the prospective applicant, FuturEnergy Croagh Designated Activity Company, be informed that the proposed development, consisting of the provision of a proposed 38kV-to-110kV step-up transformer, and extension to the substation at Srananagh 110/220kV substation, Ballysumaghan, Co. Sligo, as set out in the plans and particulars received by An Bord Pleanála, does not fall within the scope of section



182A of the Planning & Development Act, 2000 (as amended), and that the planning application should be made in the first instance to the relevant planning authority.

  
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Anthony Kelly

Planning Inspector

27<sup>th</sup> October 2022