

An
Bord
Pleanála

Inspector's Report

ABP-314729-22

Development	Proposed 110kV (upgraded to 220kV during the course of the consultation period) electrical infrastructure and connection to the national grid.
Location	Clonberne and Ballinphuill Co Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	Not Applicable
Applicant(s)	Clonberne Windfarm Limited
Type of Application	Pre-application consultation under S182E of the 2000 Act
Planning Authority Decision	Not Applicable
Date of Site Inspection	7 December 2022
Inspector	Paul Caprani

Contents

1.0 Introduction	3
2.0 Site Location and Description.....	3
3.0 Development.....	4
4.0 Planning History	4
5.0 Precedent Decisions	4
6.0 Pre-application Consultation Meetings.....	5
7.0 Legislative Provisions.....	6
7.1. Planning and Development Act 2000, as amended.....	6
8.0 Assessment.....	7
8.1. Strategic Infrastructure Development	7
8.2. Prescribed Bodies	8

1.0 Introduction and Background

- 1.1. Two pre-application consultation meetings were held in respect of the proposed development which involves the development a substation and grid connection to serve a proposed Windfarm at Cloonberne¹. In the initial meeting (14/12/22) the applicant proposed a grid connection from the proposed windfarm into the Cloon to Lanesboro 110kV line to the south-west of the site. The second meeting (11/07/23) discussed the possibility a second grid connection and the construction of a substation and associated infrastructure to connect into the 220kV Carrick-on-Shannon Leitrim to Cashla overhead line which is closer to the windfarm site. The prospective applicant indicated at this meeting that he intended to apply for planning permission for both the 110kV and 220kV grid connection options. At the 2nd meeting the prospective indicated that Clonberne Windfarm Ltd will pursue either one of the options should planning permission be forthcoming. In its letter requesting closure of the pre-application consultation process, dated 29th of November 2023, the applicant has stated that the options had now been refined to include the 220 kV connection only. The letter requesting closure also indicated that it is proposed to move the proposed 220kV substation within the windfarm site to a location slightly more south than that indicated on the presentation submitted by the applicant in the 2nd pre-application consultation meeting.

2.0 Site Location and Description

- 2.1. The proposed substation is located centrally in the southern portion of the windfarm site in east Galway, to the immediate west of the small settlement of Clonberne, and c. 8km southeast of the settlement of Dunmore and c10 km south west of the settlement of Glennamaddy. The proposed substation is located in a field served by a bog road running through the windfarm site. The grid connection route commences at the proposed 220kV substation in the townland of Cloonlarkin in the southern portion of the windfarm site. The proposed 220kV substation is located to the south of the cutaway bog and close to some recently planted conifer woodland. The

¹ The Clonberne Windfarm was determined to be SID under ABP 307058-20

underground grid connection runs eastwards across open land for approximately 1 km before meeting a local 3rd class road at Laughil. The cable runs along the road for c1.8 km before breaking into the 220kV overhead Cashla to Carrick-on-Shannon line near the townland of Ballyedmond close to the R328.

3.0 Development

3.1. The development relates to the provision of 220kV substation and the provision of a 220kV underground cable c2.8km in length connecting the proposed windfarm to the national grid by breaking into the Cashla- Carrick -on-Shannon overhead line to the south-east of the windfarm site.

4.0 Planning History

4.1. The only relevant planning decision relates to ABP Ref. 307058-20 where the Board determined, on November 6th 2020 that the windfarm which the proposed substation and grid connection is to serve constitutes SID and an application for this windfarm development should be made directly to the Board.

5.0 Precedent Decisions

5.1. There have been a number of examples where the Board have adjudicated and determined multiple similar-type projects (albeit 110kV infrastructure) as to whether or not they constitute SID. Precedent decisions that are relevant to the current application before the Board are set out in the Table below:

ABP Ref.	Development Description	Decision Date	ABP Decision
313680	Development of 100kV substation and grid connection	2023	Is SID
313352	110kV substation and grid connection cabling	2022	Is SID
313001	110kV substation and underground grid connection.	2022	Is SID
312860	Proposed development of 110kV electrical substation and its grid connection options to the existing transmission network	2022	Is SID

312700	Proposed 110kV loop-in substation, overhead lines to connect to transmission network and underground grid connection to consented solar farm	2022	Is SID
312532	Proposed development of a 110kV on-site 'Loop-In/Loop Out' substation.	2022	Is SID
312249	Development of a 110kV substation and provision of electrical connection to the national grid	2022	Is SID
311904	Proposed new tail-fed 110kV substation and associated works.	2022	Is SID
311778	Provision of a 110kV GIS substation and associated development	2022	Is SID
311403	Proposed development of 110kV infrastructure	2022	Is SID
311204	Proposed 110kV substation	2022	Is SID
311176	Proposed construction of two new 110kV substations and 110kV underground cable connecting both substations	2022	Is SID
311403	Proposed development of 110kV infrastructure	2022	Is SID
311032	Proposed new tail fed 110kV substation and 110kV underground cables	2022	Is SID
312226	Construction of a 110kV substation and underground grid connection.	2022	Is SID

6.0 Pre-application Consultation Meetings

- 6.1. Two meetings took place. The initial meeting held on the 14th of December 2022. This consultation proposed a 110kV substation and grid connection cabling to the Cloon to Lanesboro 110kV circuit. A second meeting took place on July 11th 2023. The purpose of this meeting was to discuss a second alternative grid connection option which was being considered by the applicant. As referenced above, the second option will propose a 220kV grid connection including a 220kV substation and associated infrastructure which will connect into the Cashla to Carrick-on-Shannon 220kV OHL. It was confirmed in the letter requesting closure of the pre-

application consultation that the that the 220kV substation and 220kV underground grid connection would be the preferred option going forward.

- 6.2. In the case of both meetings, the applicant contended that the construction of a 110kV or 220kV substation linking into either a 110kV or 220 kV line falls within the scope of Section 182A(1) of the Act, based upon the definition of electricity transmission as set out in Subsection 9 of Section 182A.

7.0 Legislative Provisions

7.1. 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."*

7.2. 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 Board²².”

8.0 Assessment

8.1. Strategic Infrastructure Development

- 8.1.1. The proposed development comprises of a new 220kV substation and underground 220kV cable intended to facilitate the connection of a proposed windfarm development at Clonberne to a 220kV OHL in order to feed into the national grid via proposed tie-in towers.
- 8.1.2. The prospective applicant is seeking a determination from the Board as to whether the proposed development is or is not Strategic Infrastructure Development. The prospective applicant contends that it is Strategic Infrastructure Development on the basis that it involves construction of a high voltage for the purposes of transmitting electricity where the voltage in the cable would be 110 kilovolts or more. In this case the voltage in the cable would be 220 kilovolts.
- 8.1.3. Under section 182A of the PDA an undertaker shall apply to the Board for approval of a development comprising or for the purposes of energy transmission. Section 182A(9) states that ‘transmission’ shall be construed in accordance with section 2(1) of the Energy Regulation Act and shall also be construed as meaning inter alia ‘*the transport of electricity by means of a high voltage line where the voltage would be 110kV or more*’.
- 8.1.4. Section 2(1) of the Electricity Regulation Act defines the transmission system as a system which consists wholly or mainly of high voltage lines and electrical plant for conveying electricity from a generating station to a substation, from one generating

²² The Electricity Supply Board

station to another, from one substation to another or to or from any interconnector or to final customers.

- 8.1.5. Based on the information contained in the prospective applicant's submission and elaborated upon at the pre-application consultation meetings, it is clear to me that the proposed 220kV substation and 220kV underground cable development which will connect into a 220kV Carrick-on-Shannon to Cashla line constitutes the 'transport of electricity by means of a transmission system' as defined in Section 2(1) of the ERA and therefore can be considered to form part of the electricity transmission system for the purposes of the PDA. The construction of a 220kV substation, breaking into a 220kV OHL, c.2.8 km away falls within the scope of 'transmission' as set out S182A(9) of the Act and Section 2(1) of the Electricity Regulation Act. Subsection 9 of the S182A of the Act states that where '*a high voltage line where the voltage would be 110 kilovolts or more* [my emphasis]', falls within the scope of Section 182A(1) of the Act. Therefore, either the 110kV infrastructure or 220kV would both fall within the above definition.
- 8.1.6. I consider that the proposal meets the definition of electricity transmission under section 2(1) of the ERA. As such it would fall under section 182A of the PDA and would be deemed to be Strategic Infrastructure Development.
- 8.1.7. I therefore conclude that the proposed development constitutes strategic infrastructure within the scope of section 182A of the PDA, necessitating an application direct to the Board.

8.2. Prescribed Bodies

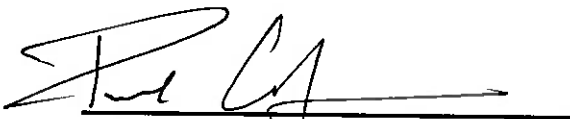
In view of the scale, nature and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in Appendix A in respect of any future application for approval.

Appendix A: Prescribed Bodies

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

- Minister for Housing, Local Government and Heritage
- Minister for the Environment, Climate and Communications
- Minister of Agriculture Food and the Marine
- Galway County Council
- An Taisce
- Fáilte Ireland
- Heritage Council
- An Chomhairle Ealaíon
- Irish Water
- Commission for Regulation of Utilities
- Inland Fisheries Ireland
- Health Service Executive
- Office of Public Works
- ESB
- Eirgrid

Further notifications should also be made, where deemed appropriate.



Paul Caprani
Planning Inspector

December 19th 2023