



An
Bord
Pleanála

Inspector's Report ABP-315128-22

Development	110kV substation to serve a solar farm development
Location	Trascan and Clondoolusk, Portarlington.
Planning Authority	Offaly County Council and Laois County Council
Type of Application	Pre-application consultation
Prospective Applicant	Elgin Energy Services Ltd.
Date of Site Inspection	January 30 th 2023
Inspector	Paul Caprani

1.0 Introduction and Background

- 1.1. The Board received a request on 17th of November 2022 from prospective applicant, Elgin Energy Services Ltd. to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, (as amended) in relation to a proposed 110kV substation and associated infrastructure at Trascaun and Clondoolusk, Portarlington, Co. Offaly. The proposed substation will loop into an existing 110kV overhead line crossing the site and will provide a grid connection for two proposed solar farms in the vicinity. One of which has the benefit of permission granted under 310367-21 (Trascaun Solar Farm). Whereas an application for a second windfarm is currently under consideration by Offaly Co Council in the adjacent townland of Bishopswood to the west.
- 1.2. The Board will note that a pre-application consultation of a very similar nature was determined by it under ABP 304101-19 on the same site in January 2021. In its determination the Board considered that the proposed development falls within the scope of section 182A of the Planning and Development Act 2000, as amended, and is therefore strategic infrastructure within the meaning of the Act and that a planning application should be made directly to the Board.
- 1.3. The current pre-application consultation relates to a project of a similar nature¹, it does however include within the red line of the application boundary, a number of laybys along the Pine Villa Road which serves the site.
- 1.4. A single consultation meeting was held between An Bord Pleanála and the prospective applicant on 2nd of February 2023. The applicant indicated at the meeting that the primary purpose of the revised pre-application consultation was to incorporate a total of 18 passing bays within the boundary of the project and also to incorporate a new location for the proposed construction compound within the site. It was noted during the course of the pre-application consultation meeting that the Board had already determined that a development of an almost identical nature constitutes strategic infrastructure for the purposes of the 2000 Act, (as amended by the Planning and Development (Strategic Infrastructure) Act, 2006).

¹ At the preapplication consultation meeting, the prospective applicant indicated that there are some minor changes to the layout of electrical apparatus within the confines of the substation.

- 1.5. The prospective applicant formally requested closure of the pre-application consultation process by written correspondence received by the Board on February 9th 2023.
- 1.6. This Report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board, the legislative provisions, and a recommended list of Prescribed Bodies that should be forwarded copies of the application.

2.0 Site Location

- 2.1. The site of the proposed substation and solar farm development is located in the townlands of Trascaun and Clondoolusk in Co. Offaly approximately 3.5km east of Portarlinton and 3.5km north-west of Monasterevin. The site is accessed via a 3rd class road (Pine Villa Road) which runs eastwards from the settlement of Portarlinton towards Monasterevin. It is a relatively narrow straight road with sporadic residential development on either side of the carriageway.
- 2.2. The site where the proposed substation is to be located is approximately 300m south of the carriageway within lands which are currently in agricultural use. The River Barrow runs parallel to, and approximately 1km to the south, of the Pine Villa Road. It forms part of the River Barrow and River Nore SAC. The site is traversed from east to west by the Portlaoise to Newbridge 110kV overhead line. Derrylea Bog is situated to the north of the proposed substation site.
- 2.3. The proposed 110kV substation will be located beneath the existing overhead line which traverses the field at a distance of approximately 700m north of the River Barrow. The area of the substation development is 1.36 hectares (according to the previous planning inspectors report).

3.0 Proposed Development

- 3.1. The proposed development comprising a substation is to connect the two proposed solar farms in the vicinity to the national grid. It includes the following:
 - An Eirgrid / ESNB Control Building
 - IPP Control Building

- Associated Medium Voltage Underground Cabling
- Installation of a 110/Medium Voltage Transformer (TRAFO) with associated equipment including:
 - o Cable Sealing End
 - o Surge Arrestor
 - o Earth Disconnect
 - o Current/ Voltage Transformer
 - o House Transformer
 - o Circuit Breaker
 - o Lighting Mast
- Diesel Generator
- Security Fencing and Cameras
- 2 new 11kV Overhead Line Cable Interface Masts
- Provision of 18 no. passing bays on the road.

4.0 Planning History

Offaly County Council Reg. Ref: 21/123, ABP Ref. 310367-21

Planning permission was granted to Elgin Energy Services Ltd. for the Trascaan solar farm on lands to the north and south of the proposed substation. The proposed solar farms is located on an 80 ha site which will export c. 60 MW of power to the national grid. The solar farm has an operational life of 40 years. The decision of Offaly Co Council to grant planning permission was upheld by the Board notwithstanding a third-party appeal.

Offaly County Council Reg. Ref: 22/390

A separate planning application by the same applicants for a solar farm in the townlands of Trascaan and Clondoolusk² to the immediate west of the substation was lodged with the Council on the 05/08/2022. This application is currently the subject of a further information request.

² Referred to in the presentation to the Board at the pre-application consultation as Bishopswood

ABP 304101-19

As referred to above, this pre-application consultation file for an almost identical project on the same site was lodged with the Board on the 29th of March 2019. The Board were requested to determine whether or not the proposed development falls within the scope of Section 182A of the Planning and Development Act 2000 (as amended). On foot of a pre-application consultation meeting, and the report and recommendation of the planning inspector, the Board determined in January 2021 that:

Having regard to the provisions of the Planning and Development Act 2000, as amended, and the nature of the proposed development which consists of a 110kV substation and associated "loop-in" infrastructure to tie into the existing 110kV overhead transmission line traversing the site, and all associated ancillary development, at Trascaun and Clonoonusk, Portarlinton, County Offaly, as set out in the plans and particulars received by An Bord Pleanála on the 29th day of March 2019, it is considered that the proposed development falls within the scope of section 182A of the Planning and Development Act 2000, as amended, and is therefore strategic infrastructure within the meaning of the Act and that a planning application should be made directly to the Board.

5.0 Prospective applicant's case

- 5.1. As in the case of the previous application, the prospective applicant's case is that the proposed development will form part of the electricity transmission network upon completion and therefore constitutes a Strategic Infrastructure Development (SID) under Section 182A of the Planning and Development Act, 2000 (as amended).
- 5.2. A covering letter submitted and contained on file noted that the Board previously determined that the proposed development to be strategic infrastructure within the meaning of S182A of the Act. The applicant now wishes to re-entre pre-application consultation because the scope of the proposed development has been extended to include a number of passing bays in the public road which straddles the Laois and Offaly border. The legislative context setting out the arguments as to why the proposed sub-station falls within the scope of S182A is set out. It is concluded that

the scope falls within the definition of transmission and therefore constitutes strategic infrastructure. A letter of consent from the landowner was also submitted with the covering letter.

6.0 Pre-Application Consultations

- 6.1. A pre-application consultation meeting was held via Microsoft teams on February 2nd 2023. Full details of the meeting and matters raised are contained in the Board's Record.
- 6.2. The prospective applicant gave an overview of the case and indicated that the proposed development essentially the same as that considered by the Board under ABP 304101-19. The only material difference in the case of the current pre-application consultation this the inclusion of a construction compound and the incorporation of 18 passing bays within the road serving the proposed substation.

7.0 Legislative provisions

- 7.1. Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires that where a person (referred to as the 'undertaker') intends to carry out development comprising or for the purposes of electricity transmission, the undertaker shall prepare an application for approval of the development to the Board.
- 7.2. Section 182A(9) of the Act 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.
- 7.3. Section 2(1) of the Electricity Regulation Act, 1999 defines transmission 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, 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.”

7.4. Electric plant is defined as follows:

“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,

(b) A meter used for ascertaining the quantity of electricity supplied to any premises, or

(c) an electrical appliance under the control of the consumer.

8.0 Assessment

8.1 Strategic Infrastructure

8.2. The Board have already adjudicated on application which was almost identical in its nature and extent. It appears from the discussions undertaken at the consultation meeting, that a revised application was submitted for the purposes of the of pre-application consultation primarily to include the passing bays, which were not included in either application to Offaly Co Council for the solar farms at Trascaun or Bishopswood. The current pre-application consultation also includes the relocation of the construction compound. Neither of these revised elements have any bearing on the Board's original determination in respect of assessing the proposed development in respect of the proposed substation infrastructure. With this in mind, I do not consider it necessary to revisit or reiterate the assessment already undertaken by the inspector in the case of ABP 304101-19. The original report is appended to this report for the Boards deliberation. I consider that the proposed development as described in the in the revised application comes within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating an application to be made directly to the Board.

8.3. Prescribed Bodies

- 8.3.1. 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 the previous report of ABP 304101-22 in respect of any future application for approval. For the Board's convenience, it is attached as an appendix to this report.

9.0 Conclusion

- 9.1. I consider that the proposed development as described in the submissions and drawings constitutes strategic infrastructure coming within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating an application to be made directly to the Board.

10.0 Recommendation

- 10.1.1. I recommend that Elgin Energy Services Ltd. be informed that the proposed development consisting of a 110kV AIS substation, looped connection to 110kV overhead powerline traversing the site, 2 no. 110kV cable end masts inserted into existing overhead line and all associated ancillary development at Trascaun and Clondoolusk, Co. Offaly as set out in the plans and particulars received by An Bord Pleanála, 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.



Paul Caprani

Senior Planning Inspector

13th March 2023

Appendix – List of Prescribed Bodies

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 182A (4) (b) of the Act.

- Minister for Housing, Local Government and Heritage
- Minister for Culture, Heritage and the Gaeltacht (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Offaly County Council
- Irish Water
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- Irish Aviation Authority
- Health & Safety Authority
- Office of Public Works

Further notifications should also be made where deemed appropriate.

