



An
Bord
Pleanála

Inspector's Report ABP-315461-23

Development

Proposed upgrading of the Coolnabracky – Portlaoise 110kV circuit between Coolnabracky 110kV substation (currently under construction) and Portlaoise 110kV substation

Location

In the townlands of Coolnabracky, Coolminam and Kylekiproe, Co. Laois.

Planning Authority

Laois County Council

Prospective Applicant(s)

Eirgrid Plc

Type of Application

SID Pre-Application Consultation under S.182E.

Date of Consultation Meeting

21/02/2023

Inspector

Conor McGrath

1.0 Introduction

- 1.1. The Board received a request on 05/01/2023 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 the proposed uprating of an existing 110kV line which runs between proposed Coolnabracky 110kV substation and Portlaoise 110kV substation.

This report provides an overview of the proposed development, relevant precedents and legislative provisions and recommends that the proposed development would not constitute strategic infrastructure. A pre-application consultation meeting was held on 21/02/2023 in respect of this case.

2.0 Site Location and Description of Proposed Development

A new 400/110kV substation has been permitted on the existing 110kV line running between Athy and Portlaoise, at Coolnabacky approx. 8.5km southeast of Portlaoise. This substation was approved under VA0015 as part of the wider Laois-Kilkenny reinforcement project. The substation will break the existing Athy - Portlaoise circuit into two separate circuits:

- Athy – Coolnabacky, &;
- Coolnabacky – Portlaoise.

The development approved under VA11.VA0015, included the uprating of the 110kV line for 1.29km northwest of the Coolnabacky substation. The subject development will continue these uprating works for a further 6km to Portlaoise and comprises the following:

- replacement of conductor;
- replacement of earthwire, as required;
- replacement of lattice steel towers and wooden polesets, as required;
- replacement of crossarms; anti-climbing guards; insulators, labels & notices and other hardware as required.
- replacement of apparatus in associated bays in Portlaoise 110 kV Station, as required;
- installation of protection apparatus on the existing circuit, as required;

- all associated and ancillary work.

The prospective applicants state that the proposed development / uprating is required to comply with Transmission System Security and Planning Standards due to high renewable generation flows from the south-west toward Dublin. The works are described as typical refurbishment works required to ensure the safe, reliable and secure transmission of electricity.

The development does not include any modifications to the permitted Coolnabackey substation.

3.0 Relevant Planning History

VA11.VA0015: Approval granted in 2014 for the proposed Laois-Kilkenny Reinforcement Project, consisting of eight interrelated elements. Items (i) and (viii) are of particular relevance to this consultation request:

- (i) A new 400/110-kV gas insulated switchgear (GIS) substation at Coolnabackey and Esker townlands, north of Timahoe, Co. Laois.
- (ii) A new connection to the proposed Coolnabackey substation from the existing Moneypoint-Dunstown 400kV line by way of a 400kV overhead line.
- (iii) A new connection to the proposed Coolnabackey substation from the existing Athy-Portlaoise 110kV line by replacing two existing intermediate polesets with two lattice steel line/cable interface masts.
- (iv) A new 110kV /38kV /medium voltage substation in Ballyragget, Co. Kilkenny.
- (v) A new 110kV overhead line between the proposed Ballyragget substation and the proposed Coolnabackey substation.
- (vi) An uprate to the existing Ballyragget-Kilkenny 110kV overhead line.
- (vii) A new bay in the existing Kilkenny 110kV substation.
- (viii) Modifications along a portion of the existing Athy-Portlaoise 110kV line, for approx. 2.3km southeast from the proposed Coolnabackey substation towards Athy, and for approx. 1.3km northwest from Coolnabackey substation towards Portlaoise. The modifications included replacement structures and fitting of new earthwire.

Other ABP Cases determined not to constitute Strategic Infrastructure:

- **ABP-312519-22:** The uprating of 5 no. existing 110kV circuits at Gorman-Platin, Co. Meath; Drybridge-Platin, Co.'s Louth and Meath; Cashla-Salthill, Co. Galway; Crane, Co. Wexford; Newbridge-Portlaoise, Co's. Offaly and Laois.
- **ABP-311396-21** – The uprating of the 110kV circuit between Glenree 110kV substation and Moy 110kV substation in Co. Mayo, including replacement of 13.86 km of conductor, lattice steel towers and wooden polesets, crossarms, anti-climbing guards, insulators, labels and notices, and apparatus in associated bays in the Glenree 110kV substations.
- **ABP-311253-21** – The refurbishment of a 220kV circuit between Cashla 220kV station, Co. Galway and Flagford 220kV substation, Co. Roscommon.
- **ABP-310830-21** – The uprating of the existing 110kV circuit between the Castlebar and Cloon 110kV substations over a distance of c.57km, including replacement and upgraded structures, replacing the conductor, suspension insulators and strain insulators, and modifications to the 110 kV stations.
- **ABP-309446-21** – The uprating of the existing 110kV circuit between the Binbane and Cathaleen's Falls 110kV substations over a distance of c.45km, including replacement of the existing conductor, 19 no. towers and 106 wooden polesets.
- **ABP-305276-19** – The refurbishment of the 220kV overhead line for c. 70kms from the Great Island substation, Co. Wexford to Kellis substation, Co. Carlow.
- **ABP Ref. VC0108** – The refurbishment of the existing 220Kv line running from Great Island, Co. Wexford to Kellis substation, Co. Carlow, including replacement conductors, upgraded and replacement polesets and masts.
- **ABP Ref. VC0106** – The refurbishment of the existing line over a distance of c.65km from the Cloon substation, Co. Galway to Lanesboro substation, Co. Longford, including replacement wooden pole sets, a tower, insulators and/or other equipment on 48 no. structures, and foundation upgrades.
- **ABP Ref. VC0072** – The refurbishment and uprating of an existing 110kv circuit from Bellacorick to Castlebar in Co. Mayo. The development related to Phase 2

of this project and covered a line of c.20km in length, including the replacement masts and pole sets and new conductors.

- **ABP VC0079** – The refurbishment and uprating of the existing 110kv line between Bellacorick and Moy in Co. Mayo, the replacement of 11 no masts and 50 no. timber pole along the 27km line.
- **ABP Ref. VC0080** – The refurbishment and uprating of the existing 220kv line between the Knockanure substation in Co. Kerry and Ballyvouskill in Co. Cork, including the relocation of 3 no. tower structures on the 63 km route, foundation reinforcement and the addition of new conductors, insulators and hardware.
- **ABP Ref. VC0086** – The uprating of the existing 400kv line between the Moneypoint power station, Kilrush in Co. Clare and Oldstreet Substation, , Co. Galway, including repairs to 281 no. structures, the reinforcement of foundations and other minor works.

It is reasonable to ascertain from the above that the Board has been consistent in determining that development of the nature proposed in this pre-application consultation request does not constitute Strategic Infrastructure Development.

4.0 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”.

5.0 Consultations

A pre-application consultation meeting in respect of this case was held on 21/02/2023 and a copy of the meeting record is appended to the file. The prospective applicant made a presentation in relation to the proposed development which was following by a general discussion.

The prospective applicants provided clarification regarding the rationale for the proposed development and its relationship with previously approved works under

VA0015. It was confirmed that the previously approved 1.3km upgrade of the 110Kv line between Coolnabacky and Portlaoise, was required in order to meet the operating standard for all lines on the approach to substations. The rationale for the works now proposed is different, although the works are similar in nature. It was advised that uprating of the line would now be required irrespective of the development approved in 2014 under VA0015, in order to meet transmission system requirements. There will be a requirement for the replacement of nearly all polesets along the route.

It was confirmed by the prospective applicants that modifications to the approved Coolnabacky substation do not form part of this Section 182E request.

6.0 Assessment

6.1. Strategic infrastructure

Having regard to the applicant's submission and the statutory definition referenced above, I am satisfied that the existing 110kV circuit the subject of this pre-application consultation can reasonably be considered to form part of the transmission network for the purposes of the Planning Act.

The works the subject of this pre-application consultation request relate to the upgrading and refurbishment of established infrastructure and would comprise typical uprate works to improve efficiency. The works would be carried out without making any fundamental change to the function or appearance of the infrastructure and there would be no deviation to the route of the established circuit. The previous determinations of the Board in respect of developments of a similar nature, as set out above, are relevant in this regard.

Having regard to the nature and scale of development described in the documentation submitted to the Board and the rationale therefor, and to the previous determinations by the Board, I do not consider that the development as described would 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.

The prospective applicants have raised a question as to whether the works described in the request would constitute an alteration to the terms of the

development previously approved under VA0015. Having regard to the nature and extent of the proposed works and the stated purpose of the development, I do not consider that this would constitute an alteration for the purposes of s.146B of the act.

Having regard to the nature and scale and extent of the proposed development, I conclude that the development would not fall within the scope of s.182A of the Act, and that a planning application should be made in the first instance to the relevant planning authority.

7.0 Recommendation

I recommend that the prospective applicant, EirGrid plc., be informed that the proposed development, consisting of proposed uprating of the Coolnabracky – Portlaoise 110kV circuit between Coolnabracky 110kV substation and Portlaoise 110kV substation, in the townlands of Coolnabracky, Coolminam and Kylekiproe, Co. Laois, as set out in the plans and particulars received by An Bord Pleanála on the 04/01/2023, does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application should be made in the first instance to the relevant planning authority.

Conor McGrath
Planning Inspector

21/03/2023