

An  
Bord  
Pleanála

## Inspector's Report

**ABP-315693-23**

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<b>Development</b>	Upgrading of 4 no. existing 110 kV circuits and 1 no. existing 220 kV circuit
<b>Location</b>	Lanesboro-Mullingar, Co. Longford; Lanesboro-Sliabh Bawn, Co. Longford and Co. Roscommon; Cahir- Knockraha, Co. Tipperary and Co. Cork; Bandon - Dunmanway, Co. Cork; Louth-Woodland, Co. Louth and Co. Meath.
<b>Planning Authority</b>	Cork, Longford, Louth, Meath, Roscommon, Tipperary
<b>Planning Authority Reg. Ref.</b>	Not Applicable
<b>Applicant(s)</b>	Eirgrid
<b>Type of Application</b>	Pre-application consultation under S182E of the Act
<b>Planning Authority Decision</b>	Not Applicable
<b>Date of Site Inspection</b>	Not Inspected
<b>Inspector</b>	Paul Caprani

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## **1.0 Site Location and Description**

1.1. The proposal relates to the uprating of 5 separate electricity lines (4 no. 110kV lines and 1 no. 220kV) along the following circuits:

- (i) Lanesboro – Mullingar 110 kV Circuit (part of) in Co. Longford
- (ii) Lanesboro – Sliabh Bawn 110kV Circuit in Co Longford and Co Roscommon.
- (iii) Cahir – Knockraha 110kV Circuit in Co Tipperary and Co Cork
- (iv) Louth -Woodland 220 kV Circuit in Co Louth and Co Meath
- (v) Bandon – Dunmanway 100kV Circuit Co. Cork

## **2.0 Proposed Development**

2.1. The uprating of the circuits relate to the replacement of the existing cables which run along the existing overhead lines with higher capacity cables. These higher capacity cables have the ability to operate at a higher rating and temperature than the existing cables on the lines to enable power to be transported more efficiently. Where necessary, the structures supporting the cables (pylons and wooden poles sets) will also be replaced. This may also involve where applicable, the strengthening of foundations beneath the pole sets / pylons.

2.2. Eirgrid point out that these works would normally constitute exempted development, but the AA screening undertaken in respect of the works cannot rule out the potential for potential impacts on Natura 2000 Sites, hence permission may be required for the works.

## **3.0 Planning History**

Details of any planning history along the various routes are not strictly relevant to the question currently before the Board.



## 4.0 Precedent Decisions

4.1. There have been a number of examples where the Board have adjudicated and determined multiple similar-type projects as to whether or not they constitute SID. Precedent decisions that are relevant to the current application before the Board are set out below:

File Reference	Nature of Development	Location	Determination
312519-22	Uprating of 5 separate 110kv OHL	Meath, Louth, Galway, Wexford, Offaly, Laois	Not SID
311396-21	Uprating of a 110kV circuit	Mayo	Not SID
311253	Refurbishment of a 220kV circuit between Casla and Flagford	Galway and Roscommon	Not SID
310830-21	Uprating of c57km of 110kV OHL inc. replacement of poles, lattice towers etc.	Mayo	Not SID
309446-21	Uprating of 110kV circuit OHL over 45km inc. replacement of towers and wooden pole sets.	Donegal	Not SID
305276 - 19	Refurbishment of 220 kV overhead line over c.70kms	Wexford to Carlow	Not SID
VC 0108	Refurbishment of an existing 220kV line	Wexford and Carlow	Not SID
VC 0106	Refurbishment of c. 65km of OHL between Tuam and Lanesborough, inc. the replacement of polesets, masts and foundation upgrades	Galway and Roscommon	Not SID
VC 0072	Refurbishment and uprating of existing 110kV circuit between Bellacorrick and Castlebar (c20km) inc. replacement of polesets and support structures	Co Mayo	Not SID

VC 0077	The upgrading of a OHL and the erection of 3 additional pole sets.	Co Sligo	Not SID
VC 0079	Refurbishment and uprating of c27km of existing 110 kV line between Bellacorrick and Moy inc. replacement of 11 masts and 50 timber poles.	Co Mayo	Not SID
VC 0080	The refurbishment and uprating of the existing 220kV line between Kerry and Cork	Co Kerry and Co Cork	Not SID
VC 0086	The uprating of the existing 400kV line between Moneypoint power station and Old Street Substation Portumna. The works also involved undertaking of repairs to 281 structures along the 103 km route.	Co Clare and Co Galway	Not SID
<b>Precedent decisions for combining or bundling projects for the purposes of pre-application consultations</b>			
303148	This pre-application consultation with Eirgrid related to series capacitor development at three separate established 400kV substation locations at Dunstown 400kV substation, County Kildare, Moneypoint 400kV substation, County Clare, and Oldstreet 400kV substation, County Galway.		
310174	This pre-application consultation with Eirgrid related to STATCOMs Development Projects at the 220/110kV Substation at Ballyvouskill, Co. Cork, the 220/110kV substation at Ballynahulla, Co. Kerry, and the 110kV substation at Thurles, Co. Tipperary.		

## 5.0 Pre-application Consultation Meetings

- 5.1. One meeting took place on Monday, May 29<sup>th</sup> 2023 at 11am. After the presentation was made by the applicant some discussion took place regarding the nature of the works that would be undertaken as part of the proposal. The representatives on behalf of the Board, based on precedent decision proffered the view that the nature of the works to be undertaken related to the replacement of an existing transmission line and did not constitute a new transmission line; as such the works may fall

outside the scope of S182E and therefore may not constitute SID. However it was stressed that the decision is ultimately a matter for the Board to decide.

- 5.2. On June 15<sup>th</sup> 2023 Eirgrid submitted some minor amendments to the record of the minutes and formally requested closure of the pre-application process.

## 6.0 Legislative Provisions

### 6.1. 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."*

### 6.2. 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 Board<sup>11</sup>.”*

## **7.0 Assessment**

- 7.1. It is apparent that the Board have considered many previous schemes which related to the refurbishment and uprating of existing overhead powerlines and circuits. In all cases referred to above, the Board consistently concluded that the refurbishment and uprating of 110kV and 220 kV circuits constituted development that did not fall within the scope of strategic infrastructure under the provisions of S.182A of the Act.
- 7.2. The proposal in this instance does not represent a new transmission line within the network but rather constitutes refurbishment, replacement or uprating of the existing transmission network. This infrastructure will inevitably be required to be upgraded on a periodic basis as part of the general maintenance and upgrading of the electricity network within the state. Such upgrading will also include inter alia, the replacement of conductors, insulators, other miscellaneous substation equipment as well as wooden poles set and steel pylons. Furthermore, the Board have ruled previously that even where the uprating and refurbishment of the OHL and circuit over very long distances (in excess of 100km) and works involving strengthening of the foundations of lattice structures etc. does not constitute Strategic Infrastructure Development.

The works proposed in this instance seek to improve capacity and efficiency within the existing transmission network rather than extend the transmission network. The proposal will not result in any material change to the primary function or appearance

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<sup>11</sup> The Electricity Supply Board

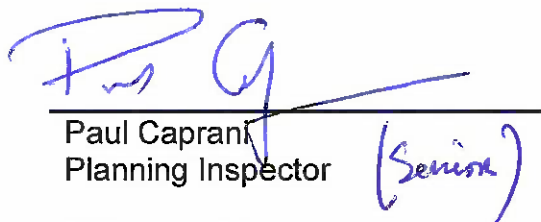
of the network infrastructure and there will be no deviation to the routes of the established circuits.

Finally, I note that the Board have also determined bundles of pre-application consultations relating to the same type of infrastructure or project. It is appropriate in this instance therefore to determine the various projects presented in this pre-application consultation under the one pre-application consultation and report.

## 8.0 Recommendation

I recommend that the Eirgrid be informed that the developments in question, consisting of the uprating of 4 no 110kV lines and 1 no. 220kV line as set out in the information submitted to the Board on the 31st of January 2023 and the pre-application consultation of the 29<sup>th</sup> of May 2023, does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that planning applications for each of the projects be made in the first instance to the relevant planning authorities.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Paul Caprari  
Planning Inspector (Senior)

26<sup>th</sup> June 2023