



An  
Bord  
Pleanála

## Inspector's Report ABP-315827-23

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<b>Development</b>	Step-up transformer and grid connection works at Ardderroo 110kV Substation.
<b>Location</b>	Letter (townland), Cnoc Raithni (Knockranny), Co. Galway.
<b>Planning Authority</b>	Galway Co. Co.
<b>Prospective Applicant</b>	Western Power Developments Ltd.
<b>Type of Application</b>	SID Pre-Application Consultation request under S.182E of the planning and Development Act 2000, as amended
<b>Inspector</b>	Conor McGrath
<b>Date of Consultation Meeting</b>	17/04/2023

## 1.0 Introduction

The Board received a request on 15/02/2023 from Western power Developments Limited to enter into a pre-application consultation under section 182E of the Planning and Development Act 2000, as amended, in relation to development consisting of a proposed step-up transformer and grid connection works at Ardderroo 110kV substation in the townland of Letter, Cnoc Raithini (Knockrannny) Co. Galway.

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 development. A pre-application consultation meeting was held on 17/04/2023.

## 2.0 Site Location and Description

The site is located within the compound of the existing Ardderroo 110kV substation, approx. 5.5km northwest of Moycullen and 8km south of Oughterard, Co. Galway. This is a rural, upland area characterised by existing wind energy development, coniferous forestry and peatland at an elevation of approx. 200m. To the northeast of this substation site is Knockrannny 110kv substation. Access from the N59, approx. 2.5km to the east, is over the L-53453.

## 3.0 Proposed Development

The proposed development comprises works within the substation to facilitate the connection of a permitted wind energy development to the southeast (PA ref. 13/829, ABP ref. PL07.243094) to the national grid.

The works are described as a 33kV-to-110kV step up transformer along with necessary control and protection switchgear required to facilitate connection to the 110kV side of the substation. The connection to the Ardderroo substation will be at 110kV once it has passed through the step-up transformer.

At the pre-application consultation meeting, the prospective applicants confirmed that the development within the scope of the request does not include the 33kv cable connection from the windfarm to the proposed transformer, nor a proposed 75-sq.m.

extension to the existing substation control building. It is stated that the 33kv cable connection will form part of a separate planning application under s.34.

#### 4.0 Nature of the Request

The Board is requested to advise as to whether or not the proposed development constitutes Strategic Infrastructure Development in accordance with the provisions of section 182A of the Planning and Development Act 2000, as amended or whether an application for permission should be made to the local authorities for the respective areas in accordance with the provisions of s.34 of the Planning and Development Act, 2000, as amended.

#### 5.0 Relevant Planning Cases & History

**PA ref. 13/829 ABP ref. PL07.243094:** 10-year permission granted in 2016 for a windfarm development Cnoc Raithni, (Knockranny), consisting of:

- 11 no. wind turbines with a maximum base to blade-tip height of 140.5m
- Meteorological mast up to 90m
- 110kV On-site Substation
- Upgrading of existing tracks and construction of new tracks
- Felling of forestry, surface water drainage system
- Peat deposition areas

A proposal to connect to the grid at Knockranny substation was assessed in the EIAR but did not comprise part of the permitted development.

Documentation accompanying this pre-application consultation request refers to a pending planning application to be made to Galway County Council in respect of:

1. Alterations to the Permitted Development (Ref. 13/829 and ABP Ref: 07.243094) comprising an increase in turbine tip height from a maximum of 140.5m to 150m (2 no. turbine options to be assessed in the application) & omission of the previously approved on-site substation.

2. Connection to the electricity grid comprising the laying of underground cables and connection to the Ardderroo substation (including extension of the existing IPP control building and new step-up transformer).
3. All ancillary works above and below ground necessary.

The prospective applicants refer to two previous determinations by the Board, in respect of similar development, which were concluded not to fall within the scope of section 182A of the Planning and Development Act 2000, as amended:

- ABP-312013-21: Provision of a new transformer compound to facilitate the connection of a permitted solar farm to the national grid by increasing the voltage of electricity generated from 33kV to 110kV.
- ABP-314400-22: Proposed 38kV to 110kV step-up transformer and extension to the existing Srananagh 110/220kV substation to facilitate the connection of a permitted wind farm to the grid.

I note also the following cases relating to minor works at existing substations, which were determined by the Board not to fall within the scope of S.182A:

- ABP-311993-21: Electrical development associated with a BESS and Synchronous Condenser at Shannonbridge Power Station, comprising BESS grid connection: 10/33kV grid transformer and associated infrastructure; & Sync Con grid connection: new 220/33kV grid transformer; 220 kV underground cables to the substation 220kV.
- ABP-311992-21: Electrical development with a BESS and Synchronous Condenser at Lanesborough Power Station, comprising BESS grid connection: 10/33kV grid transformer and associated infrastructure; Sync Con grid connection: new 110/33kV grid transformer; 110kV underground cables to the 110kV substation.
- 306908-20: Development of a 110kV control room at the existing Trien 220/110kV substation and associated works at Trienearagh, Co. Kerry.
- 303838-18: 110kV bay to connect to the existing busbar at Dunmanway 11 kV substation, Co. Cork.

- 301174: New STATCOM devices at three existing electrical substation sites.
- 303148: Installation of series capacitors at three existing 400kV substations.
- VC0070: New Reactors at existing Poolbeg 220/110kV Electrical Substation.
- VC0109: New Reactor at the existing Knockanure 220kV Electrical Substation.

## 6.0 Case made by Prospective Applicant

The prospective applicants note the legislative context for the proposed development and are of the view that the development does not fall within the scope of S.182A, having regard to:

- The nature, scale and purpose of the proposed works.
- Their location within an existing substation.
- A reasonable interpretation of the long title of the 2006 Act.
- The precedent set for similar developments including in particular ABP-312013 and ABP-314400.

## 7.0 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.”

## 8.0 Assessment

Based on the information accompanying the prospective applicant’s request, I am of the view that the existing Ardderroo 110kV substation forms part of the electricity transmission system for the purposes of the Planning Act. The proposed development relates to works within the existing substation compound. The works

are minor in scale and will not result in any material change to the function or appearance of the existing substation.

The development within the scope of this request comprises a transformer to step-up the output of a permitted windfarm from 33kV to 110kV to allow it to connect into the substation. The prospective applicant confirmed that this is the only function of the infrastructure. It will serve no function with regard to the operation of the transmission network, as defined in legislation. The 33kV cable connection from the windfarm to the substation is not a high voltage line and is not within scope for this request.

The definition of *transmission* in s.2(1) of the Electricity Regulation Act refers to the *transport of electricity by means of a transmission system*, which is then elaborated upon further. It is considered that reference to “*electric plant*” in this definition refers to such plant as is used for the conveyance / transport of electricity, rather than the broader definition of *electric plant* set out in this act. While the proposed transformer might meet the broader definition of “*electric plant*” set out in the Electricity Regulation Act, it is not used for the transport or conveyance of electricity and does not meet the definition of transmission infrastructure. I conclude therefore that the proposed development does not fall within the scope of S.182A.

This conclusion is consistent with previous determinations of the Board relating to developments of a similar nature at existing substations.

## 9.0 Conclusion

Having regard to the foregoing, I am satisfied that the proposed development would not fall within the scope of S.182A of the Planning and Development Act 2000, as amended, necessitating the making of an application directly to the Board.

## 10.0 Recommendation

I recommend that the prospective applicant, Western Power Development Ltd, be informed that the proposed development, consisting of a step-up transformer and

grid connection works at Ardderoo 110kV substation, Letter (townland), Cnoc Raitni (Knockranny), Co. Galway, as set out in the plans and particulars received by An Bord Pleanála on the 15/02/2023, 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.

 09/05/2023

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Conor McGrath  
Senior Planning Inspector  
09/05/2023