

An
Bord
Pleanála

Inspector's Report

ABP-317289-23

Development

Synchronous Condenser development.

Location

In the townland of Letter, Moycullen, Co. Galway.

Planning Authority

Galway County Council

Prospective Applicant

Buffy Letter Limited

Type of Application

Pre-application consultation under section 182E of the Planning and Development Act 2000, as amended

Inspector

Niall Haverty

1.0 Site Location and Description

- 1.1. The site of the proposed development, which extends to c. 2.35 ha, is located in the townland of Letter, Co. Galway, within the existing Ardderroe Wind Farm development and located west of and adjacent to the Buffy 110kV substation, which is stated to be currently under construction.
- 1.2. The site is c. 6.6km south of Oughterard and c. 6.9km west of Moycullen and is accessed via the existing Ardderroe Wind Farm service road, which connects to the N59 National Road.

2.0 Proposed Development

- 2.1. The proposed development consists of a grid stability service development comprising a Synchronous Condenser compound containing, inter alia:
 - Synchronous condenser with flywheel.
 - Transformer, air compressor and cooling equipment.
 - Modular containers housing electrical and control equipment.
 - 110kV underground electricity cabling.
 - Security fencing, entrance gate and access tracks.
 - Ancillary site development works.
- 2.2. The proposed synchronous condenser is stated to be a grid services facility which delivers inertia to stabilise grid performance by catching and recovering a falling frequency event on the network.

3.0 Prospective Applicant's Case

- 3.1. The prospective applicant's case, as outlined in the cover letter submitted on their behalf by MKO, can be summarised as follows:
 - Proposed synchronous condenser draws a modest amount of power from the grid for its operation and does not relate to energy generation. It is classified as a demand rather than a supply connection.

- While 110kV, the underground electricity cable connection to the Buffy 110kV Substation is solely for the use of the synchronous condenser and does not convey electricity from a generating station to a substation or from one generating station to another. On that basis, the proposal does not fall within the scope of section 182A.
 - With regard to the s37A(2) criteria for Strategic Infrastructure Development the Board has confirmed in a number of precedent cases that development of the nature of the proposed synchronous condenser compound would;
 - not be of strategic economic or social importance to the State or Region;
 - not in itself contribute to the substantial fulfilment of national and regional policy objectives; and
 - not have a significant effect on the area of more than one planning authority.
 - The proposal is a standalone ancillary service to the overall grid. There is no dedicated policy in the NPF or RSES underpinning the delivery of the subject proposal specifically and it is not of scale that it would contribute substantially to the fulfilment of more general objectives. The site is also c.16 km southwest from the administrative boundary of Co. Mayo at its nearest point and significant effects on that local authority can reasonably be discounted.
 - Position is supported by significant precedent in the form of recent decision making by the Board which has taken a consistent view that synchronous condensers and associated high voltage underground cable connections do not fall within the scope of s182A and do not constitute SID.
- 3.2. The request was accompanied by the abovementioned cover letter and a series of drawings including a site location map, site layout and plans of the proposed development.

4.0 Relevant Precedents

- 4.1. The prospective applicant cites a number of cases where the Board determined that proposed synchronous condenser development did not comprise SID under s182A. Those cases, and others that I consider to be of relevance, include:

ABP Ref. No.	Location	Development Description	Decision Date	Decision
ABP-316011-23	Co. Mayo	Proposed synchronous condenser development and connection to the Srahnakilly 110 kV substation, via a 110kV underground cable.	2023	Not SID
ABP-315859-23	Co. Cork	Proposed grid stability service development comprising synchronous condenser compound and 110kV underground electricity connection cabling to Clashavoon 220kV substation.	2023	Not SID
ABP-311993-21	Co. Offaly	Electrical development associated with a proposed Battery Energy Storage System and Synchronous Condenser	2022	Not SID
ABP-311992-21	Co. Longford	Electrical development associated with a proposed Battery Energy Storage System and Synchronous Condenser	2022	Not SID
ABP-311031-21	Co. Cork	Proposed development of an underground cable and on-site GIS Building to facilitate the operation of a Synchronous Compensator Compound and associated ancillary equipment	2021	Not SID
ABP-310828-21	Dublin 17	Proposed installation of a Synchronous Compensator Compound.	2021	Not SID
ABP-310256-21	Co. Kildare	Proposed development of underground cable and on-site 220kV substation to facilitate the operation of a Synchronous Compensator Compound	2021	Not SID

5.0 Legislative Provisions

5.1. Planning and Development Act 2000, as Amended

5.1.1. Section 2(1) of the Planning and Development Act 2000, as amended ('2000 Act'), defines 'strategic infrastructure' as including, *inter alia*:

"any proposed development referred to in section 182A(1)"

5.1.2. Under subsection 182A(1) of the 2000 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.

5.1.3. 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.”

5.1.4. 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.

5.2. **Electricity Regulation Act 1999, as Amended**

5.2.1. Section 2(1) of the Electricity Regulation Act 1999, as amended (‘1999 Act’), 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”*

- **‘Distribution’:**

“...the transport of electricity by means of a distribution system, that is to say, a system which consists of electric lines, electric plant, transformers and switchgear and which is used for conveying electricity to final customers”.

6.0 Assessment

6.1. As noted above, the definition of ‘strategic infrastructure’ includes development comprising or for the purposes of electricity transmission, with ‘transmission’ defined as either:

- The transport of electricity by means of a high voltage line of 110 kV or more, or an interconnector.
- The transport of electricity by means of a transmission system (a system of high voltage lines and electric plant 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, including interconnectors but excluding distribution system lines).

6.2. Based on this statutory definition and the information contained in the prospective applicant’s request, I am satisfied that the Buffy 110kV electrical substation can be regarded as part of the electricity transmission system for the purposes of the 2000 Act.

6.3. The stated purpose of a synchronous condenser is to stabilise the performance of the grid by delivering inertia in order to catch and recover a falling frequency event on the network. In this regard, the prospective applicant considers the proposed development to be a grid services facility. It does not generate electricity itself, and instead draws a modest amount of power from the grid for its operation. The proposed 110kV cable connection will be used solely to connect the synchronous

condenser to the substation and will not be used to transport electricity to/from a generating station, another substation or to any final customer. Therefore, while the Buffy 110kV substation can be considered to form part of the transmission system, I consider that the proposed development would not give rise to any fundamental change in the function, operation or purpose of the substation or the manner in which it connects to the national transmission grid. It would not generate or store electricity, but instead merely perform an ancillary support function, stabilising the electricity flows through the substation.

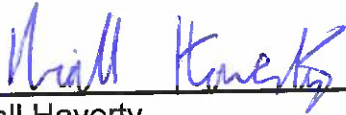
- 6.4. I am satisfied that the proposed development, as outlined in the cover letter accompanying the request, would not comprise 'transmission' as defined in either the 2000 Act or the 1999 Act.
- 6.5. As outlined above, the Board has previously determined a considerable number of requests for pre-application consultation in relation to the installation of synchronous condensers and associated development at or in the vicinity of existing substations. In particular, I note the recent cases ABP-316011-23 and ABP-315859-23-23, which related to similar forms of development. In both cases, this included synchronous condensers and underground 110kV cable connection to existing substations. The Board has consistently concluded in these, and other similar cases, that the proposed development did not fall within the scope of section 182A of the 2000 Act, as amended, and consequently that planning applications should be made in the first instance to the local planning authority.
- 6.6. Having regard to the purpose, nature and scale of the proposed development, the fact that it relates to ancillary equipment for the stabilisation of electrical flows through an existing substation, and noting previous determinations by the Board in respect of similar requests for pre-application consultation, I conclude that the proposed development would not 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.

7.0 Recommendation

- 7.1. I recommend that the prospective applicant, Buffy Letter Limited, be informed that the proposed development, consisting of the development of a synchronous

condenser and associated development, in the townland of Letter, Moycullen, Co. Galway, as set out in the plans and particulars received by An Bord Pleanála on the 8th June 2023, does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that the planning application should be made to Galway County Council in the first instance.

- 7.2. 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.



Niall Haverty
Senior Planning Inspector

13th July 2023