



**An
Bord
Pleanála**

Inspector's Report ABP-317625-22.

Development	Construction of a proposed 110kV electrical infrastructure and connection to the National Grid at the existing 110kV substation.
Location	Cloon, County Galway.
Prospective Applicant	Laurclavagh Limited.
Planning Authority	Galway County Council.
Type of Application	Pre-Application consultation under Section 182E of the Planning and Development Act 2000, as amended.
Date of Site Inspection	5 th October 2023.
Inspector	Sarah Lynch

1.0 Introduction

- 1.1. The Board received a request on the 27th July 2023 from Laurclavagh Limited to enter into pre-application consultation under Section 182E of the Planning and Development Act 2000, as amended, in relation to 110kV electrical infrastructure and connection to the National Grid at the existing 110kV substation in Cloon, Co. Galway.
- 1.2. It is important to note at the outset that the proposed development is associated with a proposed windfarm which has been the subject of pre application discussions and a SID determination ref: ABP 315469-23.
- 1.3. The Board's representatives met with the prospective applicant and agent on the 9th October 2023. The meeting was held virtually, the prospective applicant's representative outlined the proposed route and outlined the relevant legislation pertaining to the proposed development.
- 1.4. The prospective applicant requested closure of the pre-application process on the 13th March 2024.

2.0 Site Location and Description

- 2.1. The proposed development will be located 11km southwest of Tuam Co. Galway and approximately 11km to the southeast of Headford Co. Galway. The proposed connection to the grid will occur at Cloon substation and will connect to the proposed windfarm site via the N83 and a number of smaller local roads. The proposed grid connection will be located predominantly within the road edge.

3.0 Proposed Development

- 3.1. The proposed development consists of:
 - Proposed 110kV Substation at the proposed windfarm site;
 - Temporary Construction Compound
 - Underground grid connection to existing Cloon 110kV substation.

4.0 Planning History

- There are various planning applications along the route for rural development, however none that would impact the proposed development.

5.0 Prospective applicant's case

5.1. The prospective applicant's case can be summarised as follows:

- It is the prospective applicant's opinion that the proposed development would constitute Strategic Infrastructure Development as it consists of 110kV infrastructure.

6.0 Legislative Provisions

Under section 182A (1) of the 2000 Act (inserted by section 4 of the 2006 Act) where a person, (thereafter referred to as the 'undertaker') intends to carry out development comprising or for the purposes of electricity transmission, (hereafter referred to in this section and section 182B as 'proposed development'), the undertaker shall prepare, or cause to be prepared, an application for approval of development under section 182B and shall apply to the Board for such approval accordingly.

Subsection 9 states that in this section '**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.

In section 2(1) of the Electricity Regulation Act, 1999, "**transmission**" is defined as

"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.”

“**Distribution**” is defined as

“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 switch gear and which is used for conveying electricity to final customers.”

“**Electric plant**” is defined as:

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.

6.1. **Environmental Impact Assessment**

6.1. The prescribed classes of development and thresholds that trigger a mandatory EIAR are set out in Schedule 5 of the Regulations. The only classes that I consider to be of potential relevance to the proposed development are as follows:

- **Schedule 5, Part 1, Class 19:** Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometers.
- **Schedule 5, Part 2, Class 3(b):** Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more.

6.2. I note that an electrical substation is not a class of development contained in Parts 1 or 2 of Schedule 5 of the Regulations, and I further note that the proposed development does not entail the construction of any overhead power lines, regardless of voltage or length. The proposed connection to the existing Cloon 110kV substation would be by way of an underground 110kV cable, and therefore would not come within either of the classes listed above (the class being overhead powerlines, and the threshold being the voltage/length).

6.3. As no element of the proposed development falls into a class of development contained in Schedule 5, Parts 1 or 2, I am satisfied that the proposed development does not therefore constitute sub-threshold development and neither a mandatory EIA, nor screening for EIA, is required. However, the Board should note that the proposed development by virtue of its association with a proposed windfarm will be considered within any EIAR associated with the proposed windfarm.

7.0 **Assessment**

7.1. This pre-application consultation concerns the development a 110kV substation and transmission line and connection to the national grid. The transmission link will be provided via an underground cable from the proposed windfarm development at Laurclavagh and will travel c.7.5km to the existing 110kV substation at Cloon Co. Galway.

7.2. Section 182A (9) of the Act sets a threshold of 110kV in order for a high voltage electricity transmission line to be considered strategic infrastructure. I note that no threshold is set in respect of a substation.

7.3. With regard to the electricity transmission line, I note that the prospective applicant has stated that the substation and connection point will become nodes on the national transmission grid. Having regard to the information submitted and that presented during the course of the pre-application meeting I consider that the proposed 110kV transmission cable will become an integral part of the national grid transmission infrastructure.

7.4. I conclude that the proposed grid connection, in comprising a high voltage line where the voltage would be 110 kilovolts or more, as per Section 182A(9) of the Planning and Development Act, as amended, constitutes Strategic Infrastructure.

7.5. **Prescribed Bodies**

7.6. 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 attached Appendix in respect of any future application for approval.

8.0 Recommendation

- 8.1. I recommend that Laurclavagh Limited be informed that the proposed development consisting of a 110kV substation and underground 110kV transmission line between the proposed windfarm at Laurclavagh and the existing substation at Cloon, as set out in the plans and particulars received by An Bord Pleanála on the 27th July 2023, does fall 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.
- 8.2. I attach an Appendix listing relevant prescribed bodies.



Sarah Lynch
Senior Planning Inspector
22nd April 2024

Appendix – list of prescribed bodies

The following list identifies the prescribed bodies which are considered relevant in this instance 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
- Galway 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
- Department of Defense
- Office of Public Works

Further notifications should also be made, where deemed appropriate.

Note : The prospective applicant should be advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines the mitigation measures, in the interest of convenience and ease of reference.

