



An  
Bord  
Pleanála

## Inspector's Report ABP 317824-23

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<b>Development</b>	110kV substation and grid connection.
<b>Location</b>	Scart Mountain, Co. Waterford
<b>Planning Authority</b>	Waterford City and County Council
<b>Prospective Applicant</b>	Futureenergy Scart Mountain DAC
<b>Type of Application</b>	Pre-Application Consultation under Section 182E of the Planning & Development Act 2000, as amended
<b>Inspector</b>	Pauline Fitzpatrick

## 1.0 Introduction

- 1.1. The Board received a request on 10<sup>th</sup> August 2023 from Futureenergy Scart Mountain DAC to enter into a pre-application consultation under section 182E of the Planning and Development Act 2000, as amended, in relation to the proposed development of a 110kV substation and grid connection from a proposed wind farm at Scart Mountain to Dungarvan 110kV substation.

## 2.0 Site Location

- 2.1. The linear site extends from the proposed Scart Mountain wind farm site which is located c. 4km to the north-east of Cappoquin in County Waterford adjacent to the County Tipperary border, to the Dungarvan 110kV substation; a route of approx. 16.4km. The route crosses a number of watercourses, one of which forms part of the Blackwater River (Cork/Waterford) SAC. The grid cabling is to be largely along the public road network save for approx. 3km which will be off-road.

## 3.0 Proposed development

The proposed development would comprise a new tail fed c.16.4km 110kV underground grid connection primarily along the local road network from the proposed Scart Mountain wind farm to the existing 110kV substation at Dungarvan in the townland of Killadangan. The proposed grid connection would facilitate the proposed windfarm to connect to the national grid.

The applicant confirmed in the pre-application consultation meeting (ABP 315920-23) that the substation will be submitted as part of the windfarm application.

## 4.0 Relevant Planning History

**ABP 315920-23** – pre-application consultation for wind farm development at Scart Mountain comprising of 15 no. wind turbines with an electrical output of between 85.5 – 108 MW, 1 no. 110kV substation, 1 no. meteorological mast and all ancillary works.

## 5.0 Prospective applicants' case

5.1. The key elements of the Applicant's submission in support of the case being designated as strategic infrastructure are summarised as follows:

- The grid connection will facilitate the generation of renewable energy through wind. The additional installed wind energy capacity arising will improve the security of supply and reduce reliance on energy imports and will be consistent with Ireland's overarching strategy to achieve its binding 2030 emission targets.
- The grid connection will form part of the existing transmission system.
- The scale of the project is strategic in nature and economically important to the region.

## 6.0 Pre-Application Consultations

6.1. Pre-Application Consultations took place between the Board and the prospective applicant on 12/09/23. The primary purpose of the meeting was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006, and to consider matters relating to the proper planning and sustainable development of the area or the environment which may have a bearing on the Board's decision, and procedures involved in making the application.

6.2. The applicant requested closure of the pre-application consultations in a letter dated 18/12/23.

## 7.0 Legislative Provisions

### 7.1 Planning and Development Act, 2000, as amended

**Section 2 (1)** defines strategic infrastructure as including inter alia:

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

**Section 182A (1)** 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.

**Section 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.

## **7.2 Electricity Regulation Act, 1999,**

**Section 2(1)** - definitions

"**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

## **8.0 Assessment**

The proposed development comprises a new 110kV underground grid connection from the proposed Scart Mountain windfarm to the Dungarvan 110kV substation to the south-east. It is envisaged that electricity generated by the Scart Mountain windfarm would be “tail-fed” into the national grid via the proposed grid connection. As confirmed in the pre-application consultations the on-site substation will form part of the proposed wind farm development.

I am satisfied that the proposed 110kV grid connection constitutes electric infrastructure as defined in section 7 above in that it is connected with the generation and transmission of electricity.

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, and the proposed grid connection meets this threshold.

In conclusion, I consider that the proposed grid connection as described in the submissions and drawings constitutes strategic infrastructure coming within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating an application direct to the Board.

### **8.1 Prescribed Bodies**

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.

## **9.0 Recommendation**

I recommend that Futureenergy Scart Mountain Designated Activity Company be informed that the proposed development consisting of a 110kV underground grid

connection from proposed Scart Mountain wind farm to Dungarvan substation in County Waterford, as set out in the plans, particulars received by An Bord Pleanála falls 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.

*P. Fitzpatrick*

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Pauline Fitzpatrick

Senior Planning Inspector

*11<sup>th</sup>* January, 2024

## **Prescribed Bodies**

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

- Waterford City and County Council
- Southern Regional Assembly
- Minister for Housing, Local Government and Heritage.
- Minister for the Environment, Climate and Communications.
- Transport Infrastructure Ireland
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- The Heritage Council
- Inland Fisheries Ireland
- Uisce Eireann
- Health Service Executive
- Commission for the Regulation of Utilities

Further notifications should also be made, where deemed appropriate.