

An  
Bord  
Pleanála

## Inspector's Report ABP-317988-23

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<b>Development</b>	110kV substation and loop-in connection, associated with an approved solar PV development.
<b>Location</b>	Stokesquarter, Painestown, Killary, Ricetown, Castletown K.P., Navan, Co Meath.
<b>Prospective Applicant</b>	Mill Farm Solar Project Limited.
<b>Type of Application</b>	SID Pre-application. Whether the project is or is not strategic infrastructure.
<b>Planning Authority</b>	Meath County Council.
<b>Date of Site Inspection</b>	24 <sup>th</sup> November 2023.
<b>Inspector</b>	Deirdre MacGabhann.

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## 1.0 Site Location and Description

- 1.1. The subject site is situated c.12km to the north of Navan town in the townland of Ricetown, County Meath. It lies to the south of the N52, on gently undulating agricultural land that is framed by county roads. Access to the site is from the county road to the south, via a laneway which serves a small number of dwellings, agricultural land and farm buildings. The nearest villages are Lobinstown and Castletown, c.1.5km to the north east and c.2km to the west respectively.
- 1.2. The site itself comprises part of a larger agricultural field that lies west of an existing farm building. There is an existing 110kV overhead line that runs in a north west to south east orientation across the site. This OHL comprises the Meath Hill to Gorman overhead line. It runs from Meath Hill substation, situated to the north east of Navan (c.12km to the south of the site), to Gorman substation, situated to the south east of Kingscourt (c.16km to the north west of the site).
- 1.3. To the south east of the site, flowing in a southerly to northerly direction is a small stream, WFD Killary Water \_020 (Poor WFD status 2016-2021; At Risk of not meeting WFD objectives by 2027). The site is substantially removed from any European or national site of natural heritage interest.

## 2.0 Description of Proposal

- 2.1. The proposed development is brought forward to connect a permitted solar farm (PA ref. 22/1044), to the national grid by loop-in connection to the existing 110kV Meath Hill to Gorman overhead line. The subject development comprises:
  - Two no. angle lattice masts and supporting polesets.
  - One no. 110kV EirGrid substation with associated electrical plant, electrical equipment, security palisade fencing, an IPP (independent power producer) building and 2 no. transformers.
- 2.2. Access to the site will be from the internal road network serving the solar farm.

### **3.0 Planning History**

- 3.1. Under PA ref. 22/1044 a ten year permission was granted by the planning authority, on the subject site and wider area (c.97.05ha), for a development consisting of a solar PV development, to include solar panels mounted on steel support structures, associated cabling and ducting, 12 no. transformers, 1 no. temporary storage container, maintenance tracks, perimeter fencing, 61 no. CCTV, 4 no. weather stations, 3 no. bunds associated landscaping and ancillary works. The planning application was accompanied by a Natura Impact Assessment. Permission was granted subject to 14 no. conditions. These include provision of a revised site specific flood risk assessment, details of capacity of solar farm, certain transportation requirements, mitigation measures set out in the NIS and in the glint and glare assessment, pre-development archaeological testing, 35 year operational life, management of construction and landscaping.

### **4.0 The prospective Applicant's Case**

- 4.1. In their presentation to the Board's representatives on the 30<sup>th</sup> November 2023, the applicant sets out the following case:
- Section 2(1) of the Planning and Development Act 2000, as amended, defines 'strategic infrastructure' as including, inter alia 'any proposed development referred to in section 182A(1)'.
  - 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 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.

## 5.0 Pre-Application Consultation Meetings Held

5.1. One pre-application consultation meeting was held with the prospective applicant on the 30<sup>th</sup> November 2023. As set out in the record of the meeting, the prospective applicant's presentation:

- Described the location, nature and layout of the proposed development.
- Gave an update on the progress made with the proposed application, including nearing completion of Engineering Design, screening for EIA and landscape photomontages.
- Advised that the proposed development was situated on agricultural land, with low ecological value.
- Stated that it had been concluded that there would be no need to submit an EIAR.
- Stated that a flood zone risk had been identified and that sustainable urban drainage design measures would be included to prevent flooding.
- Indicated that the noise impact assessment for construction and operation predicted absence of significant effects at noise monitoring locations.
- Outlined arrangements for consultation (Community Liaison Officer appointed and consultation with Meath County Council commenced).
- Gave their opinion that the subject development falls under section 182A of the Planning and Development Act, 2000, as amended.

5.2. In discussions, the Board's representatives clarified certain matters including the following:

- The application site for the proposed substation fell outside the red line boundary for the solar farm, but that the application for the solar farm had made reference to the requirement for a substation.

- Nearest noise sensitive receptors were c.500-600m from the subject development.

- 5.3. Further, the Board's representatives advised the applicant in certain matters to be considered in making an application to the board including addressing all matters raised in the original planning application for the solar farm (e.g. flooding), landscape and visual assessment should include cumulative effects of substation and solar farm and in the event that drainage of the site relied on the drainage infrastructure for the solar farm, there may be a requirement for Stage 2 Appropriate Assessment.
- 5.4. In subsequent correspondence (18<sup>th</sup> December 2023), the applicant sought to close the pre-application consultation process.

## 6.0 Legislation

- 6.1.1. Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires, where a person (referred to as the 'undertaker') intends to carry out development comprising or for the purposes of electricity transmission, the undertaker shall prepare an application for approval of the development to the Board. Section 182A(9) of the Act states that the term 'transmission' shall be construed in accordance with section 2(1) of the Electricity Regulation Act 1999, but for the purposes of section 182A, shall also be construed as meaning the transport of electricity by means of a high voltage line (equal to or greater than 110kilovolts) or an interconnector, whether ownership of the interconnector will be vested in the undertaker or not.
- 6.1.2. Section 2(1) of the Electricity Regulation Act, 1999 defines transmission as '*...the transport of electricity by means of a transmission system, ... a system which consists, wholly or mainly, of high voltage lines and electric plant and which is used for conveying of electricity from a generating station to a sub-station, 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, ...specify as being part of the distribution system ...*'
- 6.1.3. Electric plant is defined as '*any plant, apparatus or appliance used for, or for purposes connected with, the generation, transmission, distribution or supply of*

*electricity, other than by (a) an electric line, (b) a meter..., or (c) an electrical appliance..'*

6.1.4. The term interconnector is defined as *'equipment used to link electricity systems'*.

## 7.0 **Assessment**

- 7.1. The subject development comprises an electrical sub-station (EirGrid), associated plant and equipment including an IPP building, and a loop-in connection to an existing 110kV OHL.
- 7.2. The sub-station and IPP building comprise 'electric plant' as they comprise plant used for or connected with the generation and transmission of electricity.
- 7.3. The sub-station and loop-in connection comprise 'transmission' infrastructure, as they consist of high voltage lines and electric plant which is used to convey electricity from a generating station, the solar farm, to a sub-station i.e. by loop-in connection to EirGrid's existing high voltage overhead line which connects Meath Hill substation to Gorman substation.
- 7.4. Having regard to the foregoing, I would conclude that the proposed development of substation and loop-in connection, as described in the submitted documentation, comprises strategic infrastructure within the scope of section 182A of the Planning and Development Act, 2000, as amended.

## 8.0 **Environmental Impact Assessment**

- 8.1. Part 1 of Schedule 5 of the Planning and Development Regulations, 2001, as amended, includes in Class 20, *'Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres'* and in Part 2, Class 3(b) *'Industrial installations for ... transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more'*.
- 8.2. The proposed development comprises loop-in connection to an existing 110kV overhead electrical power line. Connection is made by the insertion of two no angle lattice masts and OHL connection to the substation. The maximum length of proposed OHL, to connect the angle masts to the sub-station is c.40m.

8.3. The proposed development, in terms of proposed voltage and distance, therefore, falls significantly below the thresholds for EIA set out in Class 20 (Part 1) and Class 3b (Part 2) of the Regulations. Further, there are no classes of development in the Regulations which require EIA for electricity sub-stations or to solar farms. Accordingly, the development of itself or in conjunction with the permitted solar farm does not require environmental impact assessment.

## 9.0 **Appropriate Assessment**

9.1. The subject site is removed from European sites. However, Killary Water, which passes to the east of the subject site and to which the site is likely to drain, ultimately discharges into Dundalk Bay, a designated Special Area of Conservation (site code 000455) and Special Protection Area (site code 004026). Dundalk Bay is situated more than 20km from the subject site, more by water, and the risk of significant effects in this context would seem unlikely. Notwithstanding this, the applicant has indicated that an appropriate assessment screening exercise will be carried out and a Natura Impact Statement prepared required. This approach is considered to be appropriate.

## 10.0 **Prescribed Bodies**

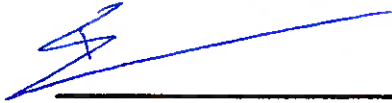
10.1. Attached in Appendix I are relevant prescribed bodies.

## 11.0 **Recommendation**

11.1. Based on the above assessment, it can be concluded that the proposed development, consisting of proposed 110kV substation and loop-in connection associated with an approved solar farm development, located at Stokesquarter, Painestown, Killary, Ricetown, Castletown K.P. Naven, County Meath, as described in the documents received by the Board on the 7<sup>th</sup> September 2023, 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.



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.



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Deirdre MacGabhann

Planning Inspector

8<sup>th</sup> January 2024

## **Appendix – Prescribed bodies**

- Department of Planning and Local Government and Heritage.
- Minister of Environment and Climate & Communications.
- Meath County Council.
- Transport Infrastructure Ireland/ National Transport Authority.
- An Chomhairle Ealaíon (Arts Council).
- The Heritage Council.
- Fáilte Ireland.
- An Taisce.
- Eastern and Midlands Regional Assembly.
- Irish Water.
- Inland Fisheries.
- Department of Agriculture, Food & Marine.
- Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media.
- Health and Safety Authority.
- The Commission for Energy Regulation.
- Office of Public Works.
- ESB.
- EirGrid.