

An
Bord
Pleanála

Inspector's Report ABP-319385-24

Development

Proposed 400kV GIS Substation, HV Lines, Electric Plant and associated site works

Location

Located in the townlands of Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Prospective Applicant

Coolpowra Flex Gen Limited

Type of Application

Pre-Application Consultation under 182E of the Planning and Development Act 2000, as amended.

Planning Authority

Galway County Council

Inspector

Jimmy Green

1.0 Pre-Application Consultation

- 1.1. The Board received a request on 25th March 2024 from Halston Environmental and Planning Ltd. on behalf of Coolpowra Flex Gen Limited, (Parsons House, 56 Axis Business Park, Tullamore Offaly) to enter into pre-application consultation under Section 182E of the Planning and Development Act 2000, as amended, (“the Act”) in relation to the proposed development of a 400kV GIS Substation, High Voltage Lines, Electric Plant and associated site works in the townlands of Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway. The subject development is proposed to facilitate the connection of a proposed reserve gas-fired generator (under a concurrent pre-planning consultation with the Board ABP-319073) as well as a proposed Energy Storage System (ESS) and synchronous condenser facility (which is intended to be subject to a future Section 34 planning application to the Planning Authority).
- 1.2. A virtual meeting was held with the prospective applicant on the 17th of April 2024. A record of the meeting is attached to the file. The presentation made to the Board’s representatives at the meeting is also attached to the file. Closure of the pre-application consultation was requested in correspondence dated 29th April 2024.

2.0 Site Location and Description

- 2.1. The proposed site is located in the townlands of Coolpowra, Ballynaheskeragh, and Gortlusky Co. Galway, and I note that the landholding (blue lined boundary of submitted proposed site location map) also includes part of the townland of Coolnageeragh, albeit no development is proposed within that townland on the layouts submitted, the proposed 400kV substation being located in the townlands of Ballynaheskeragh and Coolpowra only. The site is located approximately 5km north west of Portumna and 3.7km south east of Killimor.
- 2.2. The site of the proposed development is currently under agricultural use and an existing dwelling house and farmyard with associated buildings is also present within the overall holding – further south of the location of the proposed GIS substation. The dwelling and farm buildings are intended to be demolished as part of the wider works proposed at this location (including the Reserve Power Plant, Energy Storage and synchronous condenser works).

- 2.3. The existing Oldstreet 400kV Air Insulated Switchgear (AIS) Substation and the associated 400kV overhead line which runs from Moneypoint to Woodland is located adjacent and to the north of the subject site works.
- 2.4. The site is relatively level, with only minor undulations and a range of mature hedgerows/planting throughout. Access to the site is via the N65, local road network and an existing access road which is currently used to service the existing Oldstreet substation, and agricultural lands in the vicinity. There is a dispersed and fairly typical rural settlement pattern in the wider area and there are no occupied dwelling houses in the immediate vicinity of the proposed substation.

3.0 Proposed Development

- 3.1. The subject development is as follows:
- i. A 400kV Gas Insulated Switchgear (GIS) substation comprising a two-storey building within a palisade fenced compound. The GIS building will accommodate inter alia a battery room, generator room, switchgear room, workshop, mess room and stores. The GIS substation will serve the existing function of the AIS substation and facilitate connection of the proposed Reserve Gas-Fired Generator, ESS facility and synchronous condenser to the national grid network.
 - ii. The on-site high voltage lines and associated electrical plant which will connect the Reserve Gas-Fired Generator and ESS, and synchronous condenser facility to the GIS substation.
 - iii. All ancillary works, including in relation to landscaping, access roads, electrical equipment, lighting, and drainage.
- 3.2. The subject works are to provide the connection point to the national electrical grid for a 1,125MW Reserve Gas Fired Generator (which is under concurrent pre-application consultation with the Board under section 37B of the Act, ABP-319073-24 refers) as well as an Energy Storage System (ESS) and a synchronous condenser facility which the prospective applicant has advised will form part of a future application to the relevant Planning Authority (Galway County Council). The prospective applicant has also confirmed that, in the event of implementation of the proposed GIS substation

that all electrical connections to the existing Oldstreet Substation and/or existing high voltage overhead lines in the vicinity will form part of a future application that will be carried out by Eirgrid/ESB.

- 3.3. In the interests of clarity, the Board should note that the only elements being considered under the current Section 182E process are those set out in 3.1 of this report above.

4.0 Planning History

- 4.1. There is no recent relevant planning history on the site of the proposed development, however, there are recent planning applications associated with the existing Oldstreet 400kV substation and its overhead line including:

- **Pl. Ref. 23/60849** – permission granted by Galway County Council on the 30th of October 2023 for demolition of existing vacant farmhouse and outbuildings, provision of 3 no. 400kV angle masts to facilitate diversion of the existing Oldstreet-Woodland 400kV overhead line, extension of existing Oldstreet Substation compound and provision of a range of additional and ancillary electrical equipment.
- **Pl. Ref. 16/1747**, Permission granted by Galway County Council for refurbishment of the existing Moneypoint-Oldstreet 400kV Overhead line.
- **Pl. Ref. 00/5409**, Permission granted by Galway County Council in February 2001 for the construction of a new 220kV overhead line from a proposed 400/220kV substation at Ballynaheskeragh, near Killimor to the existing Cashla 220kV substation at Barretspark near Athenry.
- **Pl. Ref. 00/5408**, Permission granted by Galway County Council in February 2001 for the construction of a 400kV outdoor substation and looping of the Moneypoint/Woodland 400kV line at Ballynaheskeragh.

- 4.2. Other applications in the wider area refer to older permissions relating to a range of residential and associated development.

5.0 Legislative Provisions

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

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

- 5.2. **Section 182A (1) of the Act** provides that:

"Where a person, (hereafter referred to in this section 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 the development under section 182B and shall apply to the Board for such approval accordingly."

- 5.3. **Section 182A(9) of the Act** defines 'transmission' in relation to electricity, as being:

"...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."*

- 5.4. **Section 2(1) of the Electricity Regulation Act, 1999** offers the following 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" in relation to electricity 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,

(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.”

“Electric Line” is defined as having the meaning assigned to it by section 4(1) of the ESB (Electronic Communications Networks) Act 2014. The definition set out in s. 4(1) of the 2014 Act is as follows:

“...any line which is used solely or amongst other things for carrying electricity for any purpose and as including—

(a) any support for any such line, that is to say, any structure, pole or other thing in, on, by or from which any such line may be supported, carried or suspended,

(b) any apparatus connected to or associated with any such line for the purpose of carrying electricity or electronic communications services, whether such apparatus is owned by the Board or by any company referred to in section 2 or by a company which has been provided access or services referred to in section 3, or

(c) any wire, cable, tube, pipe or similar thing (including its casing or coating) which is used for the purpose of carrying electricity or electronic communications services and which surrounds or supports or is surrounded or supported by, or is installed in close proximity to, or is supported, carried or suspended in association with, any such line.”

6.0 Applicant's Case

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

- The proposed development relates to high voltage lines at or above (110kV) and the GIS substation will be 400kV, and therefore it falls within the definition of electricity transmission as set out in Section 182A(1) of the Act.
- The proposed development will upgrade the existing AIS intermediate substation on the 400kV line at the Oldstreet node and the asset will transfer to Eirgrid (TSO) in terms of operation and to ESB networks (TAO) in terms of ownership thereby forming part of the transmission system.

7.0 Precedent Decisions

7.1. There are few precedents in relation to 400kV substation infrastructure due to the limited nature of the 400kV network, however, the proposed development represents a new substation at an existing node whose primary function will be to connect a proposed reserve gas-fired generator and an ESS facility to the existing national grid transmission network, accordingly the following are relevant precedent decisions:

- ABP-317901-23 – Proposed 220kV substation and associated works at Mulhussey, Co. Meath, considered to fall within the scope of Section 182A of the Act in February 2024. The function of this substation is to connect a proposed solar farm to the Eirgrid transmission network.
- ABP-315433-23 – Proposed 220kV substation and associated underground cable works at Delamain and Dunnstown, Co. Kildare, considered to fall within the scope of Section 182A of the Act in May 2023. The function of this substation is to connect a proposed solar farm to the national transmission network.
- ABP-313653-22 – Proposed 220kV GIS substation, grid connection to the existing transmission network, at Belshamstown, Co. Meath, considered to fall within the scope of Section 182A of the Act by the Board in October 2022. The function of this substation was to connect a proposed battery storage compound into the existing 400kV Woodlawn substation immediately south of the proposed site.

- ABP-310033-21 – Proposed 220kV substation and grid connection, Dunnstown, Co. Kildare, considered to fall within the scope of Section 182A of the Act by the Board in January 2022, case similar to the current situation in that its function was to connect another project (battery storage) to an extant 400kV substation.

8.0 Pre-Application Consultation Meeting

- 8.1. A virtual meeting was held with the applicant on the 18th of April 2024. The record of the meeting has been attached to the file. The applicant provided a description of the proposed development with a brief reference to the wider development proposals at this location including the provision of the reserve gas fired generator, as well as the ESS and synchronous condenser.
- 8.2. The applicant noted the provisions of Section 182A of the Act and set out their position that the 400kV GIS substation and associated electrical components on site would fall within the scope of that section of the legislation. The applicant noted that it is intended that all the electrical development components (being provided at 110kV or higher) required to connect the other proposed development elements at this location (i.e. the reserve gas generator, ESS and synchronous condenser) will form part of any future S182A application for consent. They also noted that the infrastructure would also be shown in other application documentation (whether it be as a Section 37A application to An Bord Pleanála – potentially for the generator, or as a Section 34 application to Galway County Council (ESS and synchronous condenser) in the interests of clarity and so all authorities would have a view and details of the overall development proposals at this location.
- 8.3. The prospective applicant also stated that an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) were being prepared in relation to the overall development. In this regard the trigger for EIAR arises from the nature of the reserve gas generator which constitutes a *“thermal power station or other combustion installation with a heat output of 300 megawatts or more”*, and accordingly is a development listed in Part 1 of Schedule 5 of the Planning and Development Regulations, 2001, which requires EIA. In relation to Appropriate Assessment the prospective applicant noted that the site is hydrologically linked to

downstream Natura sites, and while noting that these are at distance, and it is not anticipated that adverse impacts will arise appropriate mitigation measures will be incorporated and accordingly an NIS will be submitted.

- 8.4. The prospective applicant also noted that as it is likely that the overall development on this site will be progressed through three different planning procedures (under sections 182A, 37A, and 34) that each application will also incorporate a range of common elements such as access arrangements/roads, drainage, landscaping and an overall Construction and Environmental Management Plan.
- 8.5. The prospective applicant stated that following submission of the pre-application consultation request they held a clinic with Eirgrid who provided guidance on the methods of connection to their network and confirmed the following:
- No part of the existing AIS Oldstreet substation should fall within the redline of any future application,
 - If the subject application is successful that Eirgrid/ESB will then apply for any necessary planning consents for works on adjoining lands such as decommissioning of existing equipment, provision of bay equipment and short spans of overhead lines to the proposed GIS substations external gantries.

9.0 Section 182A Assessment

- 9.1. The proposed development comprises a 400kV Gas Insulated Switchgear (GIS) Substation including all 110kV line connections and ancillary equipment to facilitate connection of the future proposed Energy Storage System (ESS) and synchronous condenser – (which are intended to be subject to a future planning application to Galway County Council), and a Reserve Gas Fired Generator (which is intended to be subject to a future direct planning application to An Bord Pleanála), access roads, landscaping, drainage, and all ancillary works.
- 9.2. I consider that the proposed 400kV GIS substation can be accurately described as ‘electric plant’ as defined in relevant legislation, as it constitutes a plant used for or for the purposes connected with the transmission or supply of electricity. The proposed GIS substation will link into the existing Eirgrid/ESB 400kV transmission

system / existing Oldstreet AIS substation at this location and is to be transferred as an asset to Eirgrid/ESB when/if commissioned.

- 9.3. I am also satisfied that the high voltage connections between the proposed GIS substation and other future development proposals at this site (Oil-fired Generator, ESS and synchronous condenser) also fall within the definitions of transmission as set out in section 182A of the Act as they constitute the provision of a high voltage line where the voltage would be 110kV or more and whose purpose is to transport electricity.
- 9.4. Accordingly, I consider that the proposal meets the definition of electricity transmission under section 2(1) of the Electricity Regulation Act 1999 and Section 182A(9) of the Act as set out above . As such, it would fall under Section 182A of the Act and would be deemed to be strategic infrastructure development.
- 9.5. **Planning and Environmental Considerations**
- 9.6. I note a change in the extent of the red-line boundary between the request for pre-application consultation originally and the request to close the consultations. The change in the red line boundary essentially results in the removal of the existing Oldstreet substation from the site boundary. This was discussed at the virtual meeting with the change being proposed to comply with a request of Eirgrid/ESB. The prospective applicant has also clarified that Eirgrid/ESB have committed to get consent separately for any amending works required to the Oldstreet substation to facilitate connection to the proposed GIS station.
- 9.7. In relation to Appropriate Assessment, in discussions, the prospective applicant noted their intent to submit a Natura Impact Statement, with the need to incorporate mitigation measures to ensure downstream Natura sites are protected arising from hydrological connectivity.
- 9.8. The applicant has also stated their intent to submit an EIAR, as the gas-fired generating station is a form of development for which an EIAR is mandatory and as the other developments proposed are either intrinsically linked to that proposal (i.e. the S182A works will facilitate the connection to the national grid) or form part of the overall development of this site (i.e. the ESS and synchronous condenser), the intention is to provide an EIAR as part of any future application(s). While this is a matter for the applicant, I consider that this approach represents an appropriate

means of progressing any future applications and will allow the relevant authorities to consider in full all cumulative impacts arising and have comprehensive details of the full extent of the works proposed.

- 9.9. In view of the scale, nature and location of the proposed development, as described in this report, Appendix I below identifies the prescribed bodies which are considered relevant in this instance for the purposes of Section 182A(4)(b) of the Act.


10.0 Conclusion

- 10.1. I consider that the proposed development as described in the submissions and drawings, and as discussed at the pre-application consultation meeting constitutes strategic infrastructure coming within the scope of Section 182A of the Planning and Development Act, 2000 as amended, necessitating a direct application to the Board.

11.0 Recommendation

- 11.1. I recommend that the prospective applicant, Coolpowra Flex Gen Ltd., be notified that the proposed development consisting of a 400kV Gas Insulated Substation, and all associated works on lands at in the townlands of Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway, as described in the documents received by the Board on the 25th March 2024, and augmented by the updated layout received by the Board on the 29th April 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.


Jimmy Green
Senior Planning Inspector
2nd May 2024

Appendix I

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 of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann,
- Inland Fisheries Ireland,
- Health Service Executive,
- Health and Safety Authority,
- Eirgrid,
- ESB,
- An Taisce,
- The Heritage Council,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.