



An
Bord
Pleanála

Inspector's Report

ABP-320634-24

Development	Proposed extension of 110kV AIS Electrical Substation
Location	Located at Lumcloon, Cloghan, Co. Offaly
Prospective Applicant(s)	Lumcloon Energy Limited
Type of Application	Pre-Application Consultation under 182E of the Planning and Development Act, 2000 (as amended)
Planning Authority	Offaly County Council
Date of Site Inspection	11/09/2024.
Inspector	Alan Di Lucia

1.0 Introduction

- 1.1 The Board received a request on 16th August 2024 from Lumcloon Energy Limited to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, as amended, in relation to a proposed extension of the 110kV Air Insulated Switchgear (AIS) Substation located at Lumclonn, Cloghan, Co. Offaly.

2.0 Site Location and Description

- 2.1 The proposed development site is located along the Regional Road (R357) and Local Road (L70099) in the townland of Lumcloon, approximately 5km south of Ferbane, 2km east of Cloghan and 20km southwest of Tullamore. The development site is setback behind the existing adjoining Derrycarney 110kV AIS substation and Lumcloon Energy Battery Storage System facility.
- 2.2 The proposed development site comprises a brownfield site, access via the Regional Road (R357). The existing Derrycarney AIS substation fronts onto the R357. The site forms part of the former ESB-owned peat fired PowerStation site, decommissioned in 2004. The surrounding topography is generally flat, with a nearby rural house to the southwest of the site.

3.0 Proposed Development

- 3.1 The proposed development is to provide an extension to the existing Derrycarney 110kV Air Insulated Switchgear (AIS) electrical substation. The proposed development will consist of the installation of additional AIS electrical apparatus to facilitate connection to, and extension of, the busbar within the existing AIS substation, comprising of the following:
- Installation of four new 110kV bays consisting of busbar disconnects, sectionalisers, circuit breakers, line traps, conductors, surge arrestors, capacitors, lighting masts and other electrical apparatus.
 - Installation of two grid transformers
 - Two single storey IPP control buildings which will contain control rooms and electrical cabinets, and
 - All ancillary site works, including internal access, underground cabling, fencing and light poles.

4.0 Planning History

4.1 The following planning history relates to the development site.

Reference No.	Development Description	Decision
17/194	Development of an energy storage facility designed to provide 100mw of system support services to the electricity grid.	Grant
19/55	Alterations to development of an energy storage facility designed to provide 100mw of system support services to the electricity grid	Grant
19/555	The installation of approximately 8 kilometres of underground electricity line with a capacity of up to 38kv from the permitted (Cloghan wind farm) substation Ref (PA 14/188 ABP PL19.244053)	Grant
20/444	The construction of a 33kv substation and substation compound with associated electrical infrastructure, including transformer, and grid connection into the permitted derrycarney 110kv substation	Grant
2360111	an extension to the existing battery energy storage system (BESS) facility (consented under Planning Ref 19/55)	Grant

5.0 Precedent Cases

5.1 There are a material number of cases pertaining to works to existing substations which the Board has adjudicated on to date.

The following are noted:

ABP Ref.	Development Description	Decision Date	ABP Decision
320205	Extension to Grange Castle 110kv substation, South Dublin County Council	2024	Not SID
316205	New line bay and associated underground cabling at Kellis 220kV substation, Co. Carlow.	2023	Not SID

315688	Modification and upgrade of the Letterkenny 110kV substation, Co. Donegal including expansion of existing compound to accommodate a new indoor GIS compound area.	2023	Not SID
314767	Upgrading of Poolbeg 220kV substation, Dublin.	2023	Not SID
314505	Upgrade of Belcamp 220kV substation Co. Dublin including new GIS building and compound extension.	2023	Not SID
314111	Upgrading of the existing Woodland 400/200kV substation including additional AIS electrical apparatus and extension to existing compound, Batterstown, Co. Meath.	2022	Not SID
313964	Redevelopment of Maynooth 220kV / 110kV substation including replacement of the existing 220/110kV AIS substation with a 220/110kV GIS substation.	2022	Not SID
311950	Modification and upgrade of the Dalton 110kV substation, Claremorris, Co. Mayo	2021	Not SID
307228	110kV GIS building at Ringsend 110kV substation, Dublin	2020	Not SID
304856	Line bay extension within the existing Cushaling 110kV substation, Co. Offaly.	2019	Not SID
303838	110 kV bay to connect to the existing busbar at Dunmanway 110 kV substation, Co. Cork.	2019	Not SID
303587	New 110kV GIS substation, Lanesborough, Co. Longford.	2019	Not SID
301876	Refurbishment and upgrade of a 220/110kV AIS substation and associated works at the existing 220/110 kV Maynooth substation.	2018	Not SID

300928	Development of a 110kV GIS substation and associated works at the existing 110kV Kilbarry substation, Co. Cork.	2018	Not SID
--------	---	------	----------------

6.0 Prospective Applicant's Case

- 6.1 The applicant notes that the Board has previously determined a considerable number of requests for pre-application consultations in relation to proposed improvement / refurbishment / upgrade works at existing substations as not constituting SID.
- 6.2 The applicant highlights that there will be no significant changes to the character of the site and existing transmission operations or functions of the substation will not materially change as a result of the proposed development.
- 6.3 It is concluded that the proposal would not fall within the scope of Section 182A of the Planning and Development Act, 2000, as amended, necessitating the making of the application directly to the Board.

7.0 Legislative Provisions

- 7.1 Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires that 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.
- 7.2 Section 182A(9) of the Act 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.
- 7.3 Section 2(1) of the Electricity Regulation Act, 1999 defines transmission as follows:
- “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, 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.”

7.4 Electric plant is defined as follows:

“any plant, apparatus or appliance used for, or for 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 the consumer.

8.0 Assessment

8.1 Having regard to the details submitted with the pre-application consultation request, I consider that there is adequate information available to the Board to make a determination on this request. I do not therefore consider that a consultation meeting is necessary in this instance and the following assessment is undertaken on inspection of the site.

8.2 The proposed development is to provide an extension to the existing Derrycarney 110kV Air Insulated Switchgear (AIS) Electrical Substation. The extension will provide new bays at this existing transmission system which will facilitate connection of consented renewable energy and energy storage development to the electricity network.

8.3 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).

Based on this statutory definition and the information contained in the prospective applicant's request, I am satisfied that the existing Derrycarney 110kV electrical substation can be regarded as part of the electricity transmission system for the purposes of the 2000 Act. In this regard, I also note that the substation is identified on the Transmission System map provided on the EirGrid website¹.

8.4 The proposed development comprises an extension to and provision of additional infrastructure to an established and operational substation. The Board will note previous decisions it has made on SI pre application consultation requests in relation to amendments, additions and expansion of electricity substation infrastructure (including the cases referred to by the prospective applicant). It concluded that, notwithstanding the fact that the works represent infrastructural improvement to existing 110kV (or higher) rated substations on the transmission system, that the provisions of Section 182A were not applicable.

8.5 In the instant case I note:

- The existing Derrycarney 110kV substation is on the transmission network.
- Although the proposed development, comprising of an extension to facilitate new line bays represents additional infrastructure and plant, it would not give rise to any fundamental or material change in the function, operation or purpose of the existing substation which will remain a 110kV substation.
- The nature and extent of the extension relative to the existing substation compound will not give rise to any significant visual or landscape impacts.
- In previous decisions on SID pre-application consultation requests in relation to electricity transmission infrastructure under Section 182E involving amendments, additions and expansion of electricity infrastructure, including

¹ 001 - All Ireland (eirgrid.ie)

extensions to existing substations not within the footprint of the existing substation. The Board concluded that the development did not fall within the scope of Section 182A of the 2000 Act, as amended.

8.6 Having regard to the nature and scale of the proposed development, the fact that it relates to an extension to 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.

9.0 Recommendation

I recommend that the prospective applicant, Lumcloon Energy Limited, be informed that the proposed extension of the existing Derrycarney 110kV substation located at Lumcloon, Cloghan, Co. Offaly, as set out in the plans and particulars received by An Bord Pleanála on the 16th August, 2024, does not fall within the scope of section 182A of the Planning and Development Act, 2000, as amended, and that a planning application should be made in the first instance to the relevant planning authority, Offaly County Council

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.



Alan Di Lucia

Senior Planning Inspector

30

September 2024