



An
Coimisiún
Pleanála

Inspector's Report ACP-320834-24

Development

Construct a tail-fed electrical-transmission substation with underground cable connection to the existing Lisheen electrical substation

Location

Lands at Killoran townland, Lisheen windfarm, Moyne, County Tipperary

Local Authority

Tipperary County Council

Type of Application

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

Date of Site Inspection

17th October 2024

Inspector

Colm McLoughlin

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1.0 Introduction

- 1.1. The Commission received a request on the 17th day of September, 2024, on behalf of Soleirtricity Lisheen Ltd. to enter into pre-application consultations under section 182E of the Planning and Development Act 2000, as amended (hereinafter 'the Act of 2000'), in relation to development consisting of the construction of a tail-fed electrical-transmission substation with an underground cable connection to the existing 110 kilovolt (kV) Lisheen electrical substation at Lisheen windfarm, near the village of Moyne in north County Tipperary.
- 1.2. A single pre-application consultation meeting was held between representatives of the Commission and the prospective application in relation to this case on the 23rd day of October, 2024, and a record of this meeting is attached to the file. Correspondence requesting closure of the consultation process was received by the Commission on the 22nd day of September, 2025.

2.0 Site Location and Description

- 2.1. The subject site at Lisheen windfarm is located approximately 2.6km from the village of Moyne and 11.5km from Thurles, close to the eastern boundary of County Tipperary with County Kilkenny. It is primarily accessed off a local road (L5612) leading to the R502 regional road, which is located 1.2km to the northeast of the site and connects Templemore with Johnstown. The site is in the area that previously formed part of the Lisheen mines, with the location for the proposed electrical substation consisting of bare and disturbed ground that had accommodated structures associated with the former mining operations. Adjacent to the site are buildings and tailing ponds that had also formed part of the previous mining operations and which are now intended to be absorbed into an emerging national bio-economy campus. Turbines forming part of the Lisheen windfarm are situated immediately to the northwest, north and east of the site, with the closest turbine located 300m from the subject site. The Lisheen electrical substation compound adjoins the site to the north. The wider area features extensive pockets of peatland and commercial forestry, set amongst gently undulating agricultural fields and a network of roads serving farmsteads and one-off houses, and connecting rural villages.

3.0 Proposed Development

3.1. The development would comprise an electrical compound with a vehicular access from the former Lisheen mine entrance off the L5612 local road, and with the following elements proposed:

- tail-fed 110kV electrical substation;
- a step-up transformer;
- a busbar;
- instrument transformers;
- outdoor air-insulated switchgear;
- control building housing indoor switchgear, control and protection equipment;
- cable chair;
- lightning protection mast
- palisade security fencing to the switchyard and deer-proof perimeter fencing;
- closed-circuit television cameras;
- underground cable grid connection to the 110kV Lisheen substation;
- and all associated works, including groundworks.

3.2. According to the prospective applicant, the proposed electrical compound would be referred to as the Cooleeny substation and it would serve the Lisheen solar photovoltaic (PV) farm (TCC ref. 21/1128), which was permitted in February 2022.

3.3. The request is accompanied by a cover letter and a consultation document prepared by the prospective applicant's agent, as well as a consent letter from the stated landowner and a set of drawings, including site location plan, proposed site layout plan, elevational details and a land transfer map.

3.4. Following consultation with the Commission, the prospective applicant reconfirmed that the kV of the proposed tail-fed electrical transmission substation would be 110kV. In requesting closure of the pre-application consultation process, the prospective applicant provided additional details of the proposed development regarding land ownership, legal consents and drawings, which they state to provide

for fundamentally the same development as that initially referenced in their pre-application consultation request, but with an updated layout.

4.0 Planning History

4.1. Surrounding Area

4.1.1. There is an extensive planning history associated with this area, initially primarily relating to the former mining operations, subsequently relating to the existing wind farm and with more recent proposals relating to the bio-economy campus emerging in this area. The following planning applications relate to the area immediate to the subject site:

- TCC ref. 09/51/0100 – in September 2009, the Planning Authority granted permission for 12 wind turbines with maximum heights of 140m, as part of the Lisheen windfarm extending into lands in Counties Kilkenny and Laois;
- TCC ref. 18/601296 – in June 2019, the Planning Authority granted a ten-year permission for a biorefinery facility on the adjoining site to the east of the subject proposed electrical compound;
- TCC ref. 21/1171 - in December 2021, the Planning Authority granted permission for a change of use of a former mine operations maintenance building on the adjacent site to the west of the proposed electrical compound, to form an agri-food sector research and development unit;
- TCC 21/1128 – in March 2022, the Planning Authority granted permission for the Lisheen solar PV farm with a maximum export capacity (MEC) of up to 122MW on a site measuring 77ha adjoining to the east of the site and comprising approximately 214,800 PV panels, a 38kV electrical substation, 30 transformer stations, a substation building and all associated development;
- ACP ref. PL92.322641 - in May 2025, third-party appeals were lodged with the Commission against the Planning Authority's decision to grant permission (TCC ref. 24/60936) for an anaerobic digestion plant on the adjacent lands to the west of the site. A decision on this case is due in October 2025.

4.2. Relevant Precedents

- 4.2.1. The following table sets out a selection of the most recent decisions by the Commission relating to requests for pre-application consultations under section 182E of the Act of 2000 for development of a similar nature to that presented in this pre-application case. The table also confirms whether or not the Commission considered these proposals to conform with the statutory definition of a strategic infrastructure development (SID). For reasons of conciseness, this is not an exhaustive list and I also note the cases referenced by the prospective applicant in their pre-application closure request correspondence.

ACP ref.	Development Description	Decision Date	Decision
322289	Proposed development of a 110kV substation, a 110kV underground cable and a new 110kV strategic station at Griffinrath, Celbridge, County Kildare	2025	Is a SID
320535	10/38/20 kV Loop in ground-insulated switchgear electrical substation connecting into the Dunfirth-Kinnegad-Rinawade 110kV overhead line at Walterstown, County Meath	2024	Is a SID
320154	Proposed 220kV air-insulated switchgear tail-fed substation with associated grid connection comprising 220kV underground cabling connecting to the 220kV Knockraha substation in County Cork.	2024	Is a SID
317297	110kV substation and grid connection at Profile Park, Baldonnell, County Dublin	2024	Is a SID
319735	Installation of a 110kV / 38kV/MV distribution on a site north of the Drogheda IDA Business and Tech Park in County Meath.	2024	Is a SID
313767	110kV substation at Coolderry, County Clare and associated 110kV underground cabling at Ardnacrusha 110kV substation.	2024	Is a SID
319140	C-type air-insulated switchgear 110kV substation and grid connection consisting of underground cable looping with Derryiron – Timahoe 110kV circuit in Kildare.	2024	Is a SID
319395	Transformer compound enclosing a 110kV electricity transformer and an electrical-control building, and 30m of underground cables in Kilkenny.	2024	Not SID

319398	Transformer compound associated with the permitted Tuam Energy Park (Solar Farm) adjacent to the existing Cloon 110kv Substation, County Galway.	2024	Not SID
319153	110kV grid connection to facilitate connection of a windfarm to the national grid in County Mayo	2024	Is a SID
318208	110kV grid connection to facilitate connection of Shronowen windfarm in County Kerry to the national grid.	2024	Is a SID
309420	110kV substation feeding into Cashla 220/110kV substation near Athenry in County Galway	2021	Not SID

5.0 Legislative Context

5.1. The Act of 2000

- 5.1.1. Section 2(1) of the Act of 2000 defines 'strategic infrastructure development' as including, inter alia, any proposed development referred to in section 182A(1) addressing electricity transmission lines.
- 5.1.2. Under section 182A(1) of the Act of 2000, 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 Commission for such approval accordingly.
- 5.1.3. Section 182A(9) of the Act of 2000 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.'

5.2. Electricity Regulation Act 1999, as amended

5.2.1. The following relevant definitions are set out in section 2(1) of the Electricity Regulation Act 1999, as amended:

'transmission'- 'in relation to electricity, means 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' – 'means 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' – 'means 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, and

(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 Prospective Applicant's Case

- 6.1. The prospective applicant stated that the proposed substation would form the connection point for the permitted Lisheen solar farm (TCC ref. 21/1128) to the Lisheen 110kV electricity substation on the national electricity transmission grid, which is required to coincide with the 76MW maximum export capacity alternating current (AC) EirGrid connection offer. The substation would be tail-fed allowing direct transmission of power from the solar arrays onto a node on the national electricity transmission grid network, as there is no existing overhead line infrastructure to loop into. The proposed compound would be located on lands that were initially stated by the prospective applicant to be in the ownership of Lisheen H2 Energy Park but subsequently advised to be in the ownership of ESB Networks.
- 6.2. Soleirtricity Lisheen Ltd. sought to enter pre-application consultation with An Coimisiún Pleanála to initially confirm that the proposed development does not require section 182A approval from An Coimisiún Pleanála. The prospective applicant initially asserted that the proposed electricity substation would not form a node on the national electricity transmission grid and the proposed electricity infrastructure (cable connections) would form part of the electricity distribution network, as opposed to the electricity transmission network. Precedents for the prospective applicant's initial position were asserted to be provided by a Commission determination dating from June 2023 relating to a grid-stability service development in County Cork (ACP ref. 315859) and a Commission determination dating from June 2021 for a 110kV substation in County Galway (ACP ref. 309420).
- 6.3. Following the pre-application consultation meeting with representatives of the Commission, in their correspondence requesting closure of the pre-application process, the prospective applicant assumed an alternative position stating that the proposed development would conform to a strategic infrastructure development,

based on determinations since 2022 by the Commission for comparable tail-fed, high-voltage electrical substations, including ACP ref. 313767.

7.0 Assessment

- 7.1.1. I note that the drawings submitted with the pre-application consultation closure request provide for additional details of the proposed equipment to be installed when compared with the initial set of drawings submitted.
- 7.1.2. The proposed development comprises a 110kV electrical substation compound, which is to connect via an underground 110kV electrical line to the adjacent EirGrid / ESB Networks-operated Lisheen 110kV substation, which is on the national electricity transmission system. I acknowledge the prospective applicant's intention for the proposed electrical facility to potentially serve a solar farm that was permitted by the Planning Authority in March 2022 (TCC 21/1128). The proposed substation would receive power from the solar farm and serve as a connection point to allow the energy from the solar farm to be transmitted onto the national grid at Lisheen electrical substation.
- 7.1.3. As detailed in section 5 above, the definition of 'strategic infrastructure' includes development comprising or for the purposes of electricity transmission, with 'transmission' meaning the transport of electricity by means of a high-voltage line where the voltage would be 110kV or more, or the transport of electricity by means of a transmission system consisting, 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.
- 7.1.4. I am satisfied that the proposed development would entail the transport of electricity by means of a 110kV high-voltage cable between the proposed Cooleeny substation and the proposed recipient 110kV Lisheen substation, and that this can be described as providing electric plant to be used for conveying electricity from one substation to another substation. Since 2022, this type of electrical facility and infrastructure has consistently been deemed by An Coimisiún Pleanála to conform to the definition of strategic infrastructure development, including the various cases referenced in section 4 of my report, for example ACP refs. 322289 and 313767. For similar

reasons the prospective applicant considers that the proposed development would conform to the definition of a strategic infrastructure development, noting in their closure request correspondence that an application for approval under section 182A of the Act of 2000 would need to be made to the Commission.

- 7.1.5. In conclusion, I am satisfied that the proposal meets the definition of electricity transmission under section 182A(9) of the Act of 2000 and section 2(1) of the Electricity Regulation Act 1999. As such, the proposals fall under section 182A of the Act of 2000 and is deemed to be a strategic infrastructure development.
- 7.1.6. A list of relevant prescribed bodies in this case is set out in appendix A to this report.

8.0 Recommendation

- 8.1. I recommend that Soleirtricity Lisheen Ltd. be informed that the proposed development consisting of the construction of a tail-fed electrical-transmission substation with an underground cable connection to the existing 110 kilovolt Lisheen electrical substation in Killoran townland, Moyne, County Tipperary, to serve the permitted Lisheen solar photovoltaic farm (Tipperary County Council reference 21/1128), as set out in the plans and particulars received by An Coimisiún 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 Commission in this case.
- 8.2. 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.



Colm McLoughlin
Senior Planning Inspector

30th September 2025

Appendices

Appendix A. Prescribed Bodies

The following is a schedule of prescribed bodies considered relevant in this case for the purposes of Section 182A(4)(b) of the Act of 2000:

- Minister for Housing, Local Government and Heritage;
- Minister for the Environment, Climate and Communications;
- Tipperary County Council;
- Commission for the Regulation of Utilities;
- ESB;
- EirGrid;
- An Taisce;
- An Chomhairle Ealaíon;
- Fáilte Ireland;
- The Heritage Council;
- Uisce Éireann;
- Health Service Executive.

Further notifications should also be made, where deemed appropriate.