

An  
Bord  
Pleanála

## Inspector's Report

### ABP-321580-25

#### Development

Proposed Development comprises a 110kV Substation and Cable Connection.

#### Location

Located at Meath Hill, off Climber Hall Road, between the settlements of Kingscourt and Drumconrathand, within Kells Municipal District, Co Meath.

#### Prospective Applicant(s)

Renewable Energy Systems (RES) Ltd

#### Type of Application

Application under 182E.

#### Planning Authority

Meath County Council

#### Date of Site Inspection

13 February 2025

#### Inspector

Hugh O'Neill

## **1. Site Location:**

The subject site which measures 0.8ha is located in the townland of Meath Hill along local road L-7408 circa 5 km east of Kingscourt, 12km west of Ardee and 3km south-east of the convergence of the borders of counties Meath, Cavan and Monaghan.

The site of the substation and the cable route is characterised by dense hedgerow surrounding fields of heavy wet soils under rough pasture.

There is an extant planning permission on the subject site for a Battery Energy Storage System (BESS). An existing 110kV substation is located at a distance of approximately 250m southeast of the proposed substation.

## **2. Description of Proposal:**

Proposed Development consists of a 110kV substation and compound including:

- a substation building c. 12m long, 12m wide x 2.5m high
- ancillary electrical equipment measuring between 4m – 7m
- a 20m high lightning mast

The purpose of the development is to facilitate connection by underground cable of an approved BESS facility to the existing Meath Hill substation.

The applicant is RES Ltd, EirGrid will be the transmission system operator.

## **3. Planning History.**

Meath Planning reg ref: 2460669. Permission was granted for a Battery Energy Storage System which included a BESS 110kV/33kV 'customer' substation compound. The case was made and accepted by the Planning Authority in that grant of permission that the customer substation was not part of the transmission system with reference to the definition of transmission in section 2(1) Electricity Regulation Act 1999. An indicative location for the 110Kv ESB substation and cable connecting the BESS to the existing 110kV substation, was provided for in that application and annotated as being subject to separate application.

Meath Planning reg ref: KA171177 appeal ref: ABP-301742-18 granted permission for an underground electricity transmission cable across private lands and within the

public roads as part of the connection of a permitted windfarm to the Meath Hill 110kV substation.

#### 4. Precedent Decisions:

The prospective applicant cites a number of cases where it contends that the Board and Planning Authorities determined that similar development did not comprise SID under s182A these are as follows:

Ref.	Location	Development Description	Decision Date	Decision
MCC 2460169	Meath County Council	Upgrading of existing 110kV substation & electrical cabling	2024	Approval
CCC 23/05246	Cork County Council	Energy storage system to connect to the ESB Midleton 110kV Electrical substation	2023	Approval
CCC 23/04541	Cork County Council	Synchronous condenser including 110KV connection to Clashavoon substation	2023	Approval
MCC 20531	Monaghan County Council	Connection to BESS to include 110kV underground ducting cable between substation & BESS	2021	Approval
ABP 302647	Kerry County Council	110kV/220kV cable and transformer to facilitate rotating stabilisers, battery storage units, electrical houses, control container	2019	Not SID
ABP 310828	Fingal County Council	Synchronous Compensator Compound & 220kV substation & cable connection	October 2021	Not SID
ABP 311992	Longford County Council	Electrical development for BESS and Sync Con	2021	Not SID
ABP 310256	Kildare County Council	Underground cable & 220kV substation	August 2021	Not SID

**Table 1. Prospective applicant referenced precedent.**

The following are references to a selection of recent ABP decisions on applications comparable to the subject case:

Ref.	Development Description	Decision Date	Decision
319470	110kV Substation and cable connecting to existing 220 kV substation	2025	Is SID
320362	Proposed development of a 110kV High Voltage (HV) Compound	2025	Is SID
319699	110kV underground cable network and 110kV substation	2024	Is SID

318011	Battery Energy Storage System (BESS), 110kV substation and 110kV Underground Grid Connection to existing Great Island Eirgrid Substation and all associated site works	2023	Is SID
313680	110kV substation and grid connection to serve PV farm	2023	Is SID
313352	110kV substation and grid connection cabling	2022	Is SID
313001	110kV substation and underground grid connection.	2022	Is SID
312860	Proposed development of 110kV electrical substation and its grid connection options to the existing transmission network	2022	Is SID
312700	Proposed 110kV loop-in substation, overhead lines to connect to transmission network and underground grid connection to consented solar farm	2022	Is SID
312532	Proposed development of a 110kV on-site 'Loop-In/Loop Out' substation.	2022	Is SID
312249	Development of a 110kV substation and provision of electrical connection to the national grid	2022	Is SID
310846	110kV substation to feed into the existing Athlone 220/110 kV substation at Monksland, Co. Roscommon, including underground cable connection and all associated works	November 2021	Is SID

**Table 2. Inspector referenced precedent.**

## **5. Pre-Application Consultation Meeting**

A meeting was held on 24 February 2025, a record of which is on the file. Matters discussed included:

Objective INF OBJ 38 of the Meath County Development Plan which references a 30m buffer from water courses for consideration in finalising an application.

The Screening for EIA and AA were discussed, along with the importance of a robust preliminary Construction Environmental Management Plan.

Based on the voltage of the proposed new substation and associated cabling, the prospective applicant was advised of the preliminary view that the proposal constitutes Strategic Infrastructure Development (SID).

A letter dated and received 18 March 2025 from RPS closed the pre-planning process and requested notice of the SID status of the proposed development.

## **6. Legislation**

### **Planning and Development Act 2000, as Amended**

Section 2(1) of the Act 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:

*"... '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."*

### **Electricity Regulation Act 1999, as Amended**

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

#### **'Transmission':**

*"...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 (i.e. ESB) 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."*

#### **'Electric Plant':**

*"...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’:**

Section 2(1) of the 1999 Act, as amended, states that ‘*electric line*’ has 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.”*

**‘Distribution’:**

*“...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 switchgear and which is used for conveying electricity to final customers”.*

**7. Assessment**

The proposed 110kV substation and the connection from it to the existing 110kV substation is a system which consists of high voltage lines and electric plant used for the conveyance of electricity *from one substation to another*.

The prospective applicant refers to precedent cases reference numbers 302647 and 311992, these cases did not include a substation as part of the proposed works. Precedent cases 301256 and 310828 were also referenced. These cases included substations for the specific purpose of operation of a Synchronous Compensator. For reasons which include their specific function in this regard the proposals were determined not to constitute SID. A list of recent directly comparable cases and outcomes is set out in table 2 above.

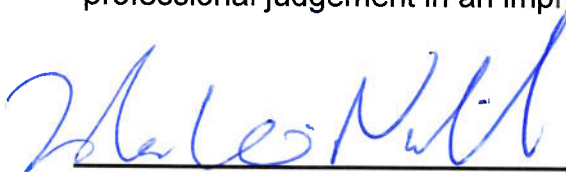
For the reasons described above, and as set out in section 2(1) of the Electricity Regulation Act, 1999, as amended the proposal forms part of the transmission system. It therefore follows that as set out in section 182A(1) of the Planning and Development Act, an application for approval of the development shall be under section 182B and shall be made to the Board.

## **8. Recommendation**

I recommend that Renewable Energy Systems (RES) Ltd be informed that:

The proposed development of a 110kV Substation and Cable Connection to an existing 110kV substation as set out in the plans and particulars lodged with An Bord Pleanála 19<sup>th</sup> December 2024, falls within the scope of section 182A of the Planning and Development Act 2000 as amended and that an application for approval should be made to An Bord Pleanála.

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.



Hugh O'Neill

Senior Planning Inspector

26 March 2025

## **Appendix – Prescribed bodies**

The following list identifies prescribed bodies for the purposes of Section 182A(4)(b) of the Planning and Development Act 2000 as amended and as set out in Article 213 of the P+D Regulations 2001 (as amended). These bodies are listed where they should be consulted:

- Minister for Department of Planning and Local Government and Heritage
- Minister of Environment and Climate & Communications
- Meath County Council
- Commission for the Regulation of Utilities
- The Eastern and Midland Regional Assembly
- Inland Fisheries
- Office of Public Works
- HSE