



An
Bord
Pleanála

Inspector's Report ABP-321655-25

Development	Proposed replacement of existing 220kV underground cables.
Location	In the vicinity of Poolbeg 220kV substation, Poolbeg, Co. Dublin
Planning Authority	Dublin City Council
Type of Application	Pre-application consultation under section 182E of the Planning and Development Act 2000, as amended
Prospective Applicant	EirGrid
Date of Site Inspection	5 th February 2025
Inspector	Kenneth Moloney

1. Introduction

The Board received a request on 10th January 2025 from the prospective applicant, EirGrid, to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, as amended ('2000 Act'), in relation to the proposed development of replacement of existing 220kV underground cable on lands in the vicinity of Poolbeg 220kV substation, Poolbeg, Co. Dublin.

The primary purpose of the pre-application consultation is to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act.

This report provides an overview of the proposed development, as well as details of legislative provisions, and relevant precedents. My recommendation is that the proposed development does not constitute strategic infrastructure development.

2. Site Location & Description

The site of the proposed replacement cables is the southern shoreline of Poolbeg peninsula, Dublin, from Ringsend to Shellybanks landfall area, to the east. The site also includes lands within Pigeon House Power Station, to the north of the Poolbeg substation.

The proposed underground replacement cables run adjacent to an existing coastal walk along the southern shoreline of Poolbeg peninsula. The coastal walk provides public access from Ringsend to the South Wall, via Shellybanks. The underground replacement cables also traverse the Irishtown Nature Park.

The site of the proposed replacement cables is located within, and adjoin, the European Sites, South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the South Dublin Bay SAC (Site Code 000210). These European Sites immediately adjoin the southern and eastern shoreline of the peninsula. The proposed replacement cables also adjoin the Proposed Natural Heritage Areas: South Dublin Bay.

3. Proposed Development

The application includes a Site Layout Map which identifies the currently indicative routes of the subject planned replacement cable circuits as red dashed lines.

The proposed development is described as comprising the following elements:

- Replacement of existing 220kV underground cables in the vicinity of Poolbeg 220kV substation, Poolbeg.
- Four replacement cables and routes which are annotated as follows on the submitted site layout map.
 - Shellybanks landfall area to Poolbeg substation (CP1146)
 - Lands within Pigeon House Power Station to Poolbeg substation (CP1216)
 - Lands to the south of industrial land uses at Ringsend and the Irishtown Nature Park to Poolbeg substation. (CP1150)
 - Lands to the south of industrial land uses at Ringsend and the Irishtown Nature Park to Poolbeg substation. (CP1157)
- Associated apparatus such as joint bays and fibre optic communications cables and chambers.

The replacement of the existing underground cables in the vicinity of the Poolbeg substation is part of a major programme of grid infrastructure development in Dublin, known as '*Powering up Dublin*'. This programme of grid infrastructure development involves the replacement of the five existing high voltage (220kV) underground transmission cables serving the city which is a major element of the *Powering Up Dublin* programme.

4. Prospective Applicant's Case

The prospective applicant's case, as outlined in the cover letter submitted can be summarised as follows:

- The upgrade of the existing cables is described as essential, as:
 - Existing cables are more than 40 years old and have reached end of life and in need of replacement.

- Modern cables are required to carry a higher capacity of power to serve increasing electricity demand in the city.
- Modern cables are required to facilitate connection of offshore renewable generation, consistent with government policy.
- The replacement of underground cables in the vicinity of Poolbeg, is a part of a larger programme of grid infrastructure development in Dublin with the replacement of five existing high voltage (220kV) underground transmission cables serving the city.
- The prospective applicant indicates a preliminary view, given the proximity of the Poolbeg area to the designated Nature 2000 Site of Dubin Bay, that an application in respect of the proposed development may require the preparation of an NIS.
- The Board have determined in previous cases that similar development was not strategic infrastructure. It is argued that the development does not constitute SID.

5. Relevant Precedents

The prospective applicant cites a large number of cases where the Board determined that similar development is not SID under s182A. These cases, and others, I consider to be of relevance. I have outlined below more recent cases for the Board's information.

ABP Ref. No.	Location	Development Description	Decision Date	Decision
314767	Dublin	Upgrading of the existing Poolbeg 200kV electrical substation	2023	Not SID
314111	Meath	Upgrading of the existing Woodland 400/200kV electrical substation	2022	Not SID

313931	Offaly	Upgrading of the existing Derryiron 110kV electrical substation	2022	Not SID
313964	Kildare	Proposed redevelopment of the existing Maynooth 220kV / 110kV electrical substation	2022	Not SID
311950	Mayo	Modification and upgrade of the Dalton 110kV substation.	2021	Not SID
311253	Galway & Roscommon	Refurbishment of the 220kV circuit between Cashla 220kV substation in and Flagford 220kv substation	2021	Not SID
310830	Mayo & Galway	Uprate of the 110kV circuit between Castlebar 110kV substation in Co. Mayo and Cloon 110kv substation in Co. Galway.	2021	Not SID
309446	Donegal	Uprating of 110kV circuit between Binbane 110kV substation and Cathaleen's Fall 110 kV station, Co. Donegal.	2021	Not SID
311253	Galway & Roscommon	Refurbishment of the 220kV circuit between Cashla 220kV substation in and Flagford 220kv substation.	2021	Not SID

6. Legislative provisions

6.1 Planning and Development Act 2000, as amended

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

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

Under subsection 182A(1) of the 2000 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.”*

Section 182E(1) provides that a prospective applicant who proposes to apply for approval under section 182B or 182D shall, before making the application, enter into consultations with the Board in relation to the proposed development.

6.2 Electricity Regulation Act 1999, as Amended

Section 2(1) of the Electricity Regulation Act 1999, as amended (‘1999 Act’), sets out the following definitions:

- **‘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 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 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

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.”

- **‘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”

- **‘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. Consultation Meeting

- A pre-application consultation meeting was not held in this instance. A record of written consultation has been placed on the file.

8. Assessment

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).

This pre-application consultation request relates specifically to the proposed laying of four replacement underground cable circuits in the vicinity of the existing Poolbeg energy hub.

In the current case the prospective applicants have indicated their opinion that the proposed development does not constitute strategic infrastructure under s.182A.

The stated purpose for the proposed works is part of a major programme of grid infrastructure development in Dublin, known as '*Powering Up Dublin*'. The programme involves significant upgrading of Dublin's high voltage grid infrastructure.

In this case replacement of existing (220kV) underground cables are proposed in the vicinity of Poolbeg 220kV substation, and the works will include associated apparatus such as joint bays and fibre optic communications cables and chambers.

Based on the information contained in the prospective applicant's cover letter, it is evident to me that the existing 220kV underground cables can be considered to form part of the electricity transmission system for the purposes of the Planning Act.

As outlined in Section 5 above, the Board has previously determined a considerable number of requests for pre-application consultation in relation to electricity transmission infrastructure under S.182E involving amendments, additions, replacement and expansion of electricity infrastructure, which I consider to be relevant. The Board has previously determined that such development does not fall within the scope of section 182A of the Planning Act and consequently that a planning application should be made in the first instance to the local planning authority.

In conclusion, therefore, I recommend that the Board issue a determination that the proposed replacement of existing 220kV underground cables in the vicinity of Poolbeg 220kV substation does not fall within the scope of section 182A of the 2000 Act, as amended, and that a planning application should be made to Dublin City Council, in the first instance.

Recommendation

I recommend that the prospective applicant, EirGrid, be informed that:

- (i) the proposed replacement of existing 220kV underground cables in the vicinity of Poolbeg 220kV substation 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 Dublin City 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.



Kenneth Moloney

Senior Planning Inspector

12th February 2025