

An  
Bord  
Pleanála

## Inspector's Report ABP-321687-25

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### Development

Installation of a new 110/38kV/MV station & all associated work.

### Location

Located at Raheen Business Park, Ballycummin, Co. Limerick.

### Planning Authority

Limerick City and County Council.

### Type of Application

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

### Prospective Applicant

Electricity Supply Board

### Date of Site Inspection

13<sup>th</sup> February 2025

### Inspector

Kenneth Moloney

## **1. Introduction**

- 1.1. The Board received a request on 16<sup>th</sup> January 2025 from the prospective applicant, Electricity Supply Board (ESB), to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, as amended ('2000 Act'), in relation to the installation of a new 110 /38kV/MV electrical substation and associated development on lands located at Raheen Business Park, Ballycummin, Co. Limerick.
- 1.2. 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.
- 1.3. A record of the written consultations undertaken is on file.
- 1.4. 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 constitute strategic infrastructure development.

## **2. Site Location & Description**

- 2.1. The subject site is located off Roches Avenue within the Raheen Business Park, in the townland of Ballycummin, approximately 8km south of Limerick City. The Limerick suburb of Dooradoyle is located to the immediate north of Raheen Business Park.
- 2.2. The subject site is approximately 1.7 ha in size and its configuration is rectangular in shape. The site itself is partially a green field and partially an existing surface car park associated with an adjoining manufacturing plant (Stryker Orthopaedics) situated to the immediate north of the subject site.
- 2.3. The site adjoins the public road (Roches Avenue) and is immediately adjoined to the south by the Eli Lilly Plant, which is currently the subject of a live planning application<sup>1</sup> to Limerick City and County Council for a Biopharmaceutical Manufacturing Campus.

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<sup>1</sup> LA Ref. 2461160

- 2.4. The existing Limerick – Moneteen 110 kV overhead line traverses the subject site.

### **3. Proposed Development**

- 3.1. The proposed development comprises of a new 110 /38kV/MV electrical substation (referred to as the Bullycummin substation) within a compound of c. 0.56 ha (5,646 m<sup>2</sup>) and the provision of access track from a new site entrance off Roches Avenue.
- 3.2. The proposed substation consists of:
- Installation of a new 110/38Kv/MV station.
  - 2 no. 63 MVA 110 /38 kV transformers.
  - 2 no. 15 MVA 38kV/MV transformers.
  - Works to the existing overhead 110 kV line in order to loop the new station into the line.
  - Replacement of existing structures and underground cabling of some of the existing overhead lines.
- 3.3. It is proposed to divert the 110 kV overhead line north of the subject site and provide underground cable from the proposed substation connecting with proposed 110 kV mast to the west of the subject site.
- 3.4. The proposed 110/38 kV station will be looped into the existing Limerick – Moneteen 110 kV circuit, creating a new node on the transmission system and creating new transmission circuits, as follows:
- Bullycummin-Limerick 110 kV circuit.
  - Bullycummin-Moneteen 110 kV circuit.
- 3.5. Ancillary works include a 2.6m high palisade fence enclosing the substation compound and 3 no. 15 m high lightening monopoles within the compound.

## **4. Prospective Applicant's Case**

- 4.1. The prospective applicant's case, as outlined in the cover letter submitted can be summarised as follows:
- 4.2. There are number of drivers for the new 110/38kV/MV station, which will contribute to additional capacity and improvements in security of supply which include.
- New station required to cater for load stress of existing Limerick station (2x63 MVA 110/38 kV). Additional demand arising from new connections and increases in Maximum Import Capacity applications.
  - New substation will facilitate a reconfiguration of connections to customers and substation to reduce existing loadings.
  - Additional capacity in the region will support the future electrification of heat and transport as per Government CAP targets.
  - Strengthening of electricity network is imperative for anticipated development in the region.
- 4.3. In accordance with S. 182A(9) 'transmission' shall be construed in accordance with s. 2(1) of the Electricity Regulation Act, 1999, and also by the transport of electricity by means of high voltage line that would be 110 kV or more. The perspective applicant confirms that the proposed development forms part of the transmission infrastructure.
- 4.4. The proposed substation constitutes 'electrical plant' as defined under s. 4.1 of Electricity Regulation Act, 1999, as will be used to distribute electricity to convey electricity to final customers.
- 4.5. The Board have determined in previous cases that similar development was strategic infrastructure. It is argued that the development does constitute SID.

## **5. Relevant Precedents**

- 5.1. The prospective applicant makes the case that the precedents for similar types of proposals have been set by the Board which have been determined to be SID. I would consider the following Board decisions to be of relevance.

ABP Ref. No.	Location	Development Description	Decision Date	Decision
311394	Kildare	110kV electrical substation, a 110kV loop in/loop out cable connection to the Kinnegad - Rinawade 110kV overhead line and all associated development.	2024	<b>SID</b>
319735	Meath	110 kV / 38 kV/MV electrical substation, Donore Rd, Drogheda	2024	<b>SID</b>
317654	Meath	110kV/20kV distribution station, Fosterstown.	2023	<b>SID</b>
315476	Clare	110 kV substation to feed into Drumline-Ennis 110 kV OHL circuit, in Coolshamroge.	2023	<b>SID</b>
314739	Fingal	110 kV substation, Belinstown, Swords	2023	<b>SID</b>

## 6. Legislative provisions

### 6.1 Planning and Development Act 2000, as amended

6.1 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)"*

6.2. 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.

6.3. 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.”*

6.4. 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.

6.5. **Electricity Regulation Act 1999, as Amended**

6.6. 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**

- 7.1. A meeting was not held in respect of this case. A written record of the consultations undertaken have been attached to the file.

## **8. Assessment**

- 8.1. 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).
- 8.2. The proposed development is outlined in Section 3.0 above. It comprises a new 110/38kV/MV electrical substation which will take power from the existing Limerick – Moneteen 110 kV circuit. The proposed substation is to be looped into the existing Limerick – Moneteen 110 kV circuit.
- 8.3. Section 182A(9) includes a threshold of 110kV in order for a high voltage electricity transmission line to be considered strategic infrastructure, however no threshold is set in respect of a substation. I consider that the proposed substation constitutes '*electrical plant*' as defined in Section 6.0 above in that it is plant for transmission, distribution and supply of electricity.
- 8.4. The proposal also involves rerouting of overhead lines and underground cables associated with the proposed substation by diverting the 110 kV overhead line north of the subject site and provides underground cable from the proposed substation connecting to the proposed 110 kV mast to the west of the subject site.

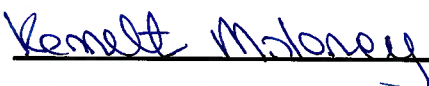


- 8.4. Having regard to the definition of transmission in s. 182A(9) of the PDA 2000, as amended, I consider that the proposed development of 110/38kV/MV substation and associated overhead line and cables would comprise S.I.D.
- 8.5. In conclusion, therefore, I recommend that the Board issue a determination that the proposed 110/38kV/MV electrical substation does fall within the scope of section 182A of the 2000 Act, as amended, and that a planning application should be made directly to the Board.
- 8.6. A list of prescribed bodies is set out in Appendix 1.

## **9. Recommendation**

- 9.1. I recommend that the prospective applicant, ESB, be informed that:
- the proposed 110/38kV/MV electrical substation on lands situated in Raheen Business Park, Ballycummin, Co. Limerick, as set out in the plans and particulars received by An Bord Pleanála on the 16<sup>th</sup> January 2025 falls within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application should therefore 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.



Kenneth Moloney

Senior Planning Inspector

25<sup>th</sup> February 2025

## **Appendix 1: Prescribed Bodies**

The following is a list of prescribed bodies considered relevant by the Board:

- Minister for Housing, Local Government and Heritage
- Minister for the Environment, Climate and Communications
- Limerick City and County Council
- Commission for the Regulation of Utilities
- Transport Infrastructure Ireland
- Uisce Éireann
- Inland Fisheries Ireland
- Office of Public Works
- An Taisce
- Heritage Council
- An Chomhairle Ealaíon
- Fáilte Ireland
- Irish Aviation Authority
- Health & Safety Authority

Further notifications should also be made, where deemed appropriate.