

An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-324122-26**

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**Development**

The proposed grid connection for the proposed Oweninny Battery Energy Storage System (BESS) development and all associated infrastructure

**Location**

Located at the Oweninny Wind Farm and surrounding Townlands in Co. Mayo.

**Prospective Applicant(s)**

Bord na Móna Powergen Ltd

**Type of Application**

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

**Planning Authority**

Mayo County Council

**Date of Site Inspection**

16<sup>th</sup> April 2026

**Inspector**

Rachel Gleave O'Connor

## **1.0 Introduction**

- 1.1.1. The Commission received a request on 27<sup>th</sup> February 2026 from the prospective applicant, Bord na Móna Powergen Limited, 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 Grid Connection for the development of a Battery Energy Storage System (BESS) at at Oweninny Wind Farm and surrounding townlands, County Mayo.
- 1.1.2. 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.
- 1.1.3. A record of the meeting consultation undertaken is on file.
- 1.1.4. This report provides an overview of the proposed development, as well as details of legislative provisions and relevant precedent.

## **2.0 Site Location and Description**

- 2.1.1. The site is located within Oweninny Wind Farm adjacent to an existing 110kV substation (the Shranakilla substation) in the townlands of Croaghaun West and Laghtanvack co. Mayo. Bangor Erris village is situated c.12km to the west. Access to the site is via internal roads serving the Oweninny Wind Farm from the N59 to the south of the site.

## **3.0 Proposed Development**

- 3.1.1. The proposed development comprises the following:
  - BESS (Battery Energy Storage System) facility, consisting of battery containers with integrated HVAC (Heating, Ventilation, Air Conditioning) units, transformers, inverters, underground cabling, associated control rooms, internal access routes, lighting, CCTV, lighting masts, fencing;

- Associated Electrical Compound consisting of: Low voltage operations compound including one single storey control and operation building, electrical plant, cabling, lighting, CCTV, lighting masts, and maintenance containers and stores;
- High voltage electrical yard comprising outdoor electrical plant and associated compound;
- Underground high voltage electrical cable to facilitate a connection to the existing adjacent Shranakilla 110kV substation;
- Associated landscaping, drainage, and all ancillary works necessary to facilitate the development;
- A 10-year permission sought in respect of the development.

## 4.0 Prospective Applicants Case

4.1.1. The prospective applicant's case, as outlined in the cover letter and presented during the consultation meeting, can be summarised as follows:

- Energy storage is the counterweight to intermittent renewable generation capacity, such as wind and solar power, and enables balancing of the energy system by matching supply and demand.
- Electricity transmission infrastructure, as defined under Section 182A of the Act, may be considered Strategic Infrastructure Development. Therefore, prior to submitting a SID planning application, a proposed development must firstly be the subject of pre-application consultations with ACP pursuant to Section 182E to determine whether it constitutes SID, or not.
- The applicant's position as outlined in the consultation meeting is that the proposed development is not SID.

## 5.0 Precedent Decisions

The following recent decisions are relevant to the consideration and are summarised in the table below:

Table 1: Precedent Pre-Application Decisions

ABP Ref.	Development Description and Location	Decision Date	ABP Decision
324001	Proposed Grid Connection for development of a BESS at Derrinlough Wind Farm and surrounding townlands, County Offaly	2026	Is NOT SID
319241	Proposed BESS and connection to adjacent existing 220kV substation at Ballyvouskill, County Cork	2024	Is NOT SID
319395	Proposed transform compound enclosing 110kV electricity transformer, control building and cables at Co. Kilkenny	2024	Is NOT SID
319398	Proposed transformer compound associated with existing 110kV substation at Co. Galway	2024	Is NOT SID
319157	Proposed 'under the fence' transformer compound associated with Energy Storage Facility at Co. Donegal	2024	Is NOT SID
318491	Proposed transformer compound adjacent to existing 220kV substation at Co. Kerry	2024	Is NOT SID
318011	Proposed BESS, 110kV substation and 110kV underground Grid Connection to existing Eirgrid Substation at Co. Wexford	2023	Substation and cables SID, BESS is NOT SID
316369	Proposed Generator Transformer Compound to existing adjacent 110kV substation at Co. Limerick	2023	Is NOT SID

## 6.0 Legislative Provisions

### 6.1.1. Planning and Development Act 2000, as Amended

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

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

6.1.3. Under subsection 182A(1) of the PDA, 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.

6.1.4. 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.”*

6.1.5. Electricity Regulation Act 1999, as Amended

6.1.6. The following definitions, as set out in section 2(1) of the Electricity Regulation Act, 1999, as amended ('ERA'), 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<sup>1</sup> 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

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<sup>1</sup> For clarity, references to the 'Board' in this instance relate to the Electricity Supply Board.

*“...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 Commission<sup>2</sup> 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.*

- **‘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 electricity appliance under the control of a consumer.”*

- **‘Distribution’:**

*“in relation to electricity, means 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.”*

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<sup>2</sup> For clarity, reference to the ‘Commission’ in this instance relate to the Commission for Regulation of Utilities.

## 7.0 Pre-Application Consultation Meetings

- 7.1.1. A pre-application consultation meeting was held in relation to the proposal via Microsoft teams on 5<sup>th</sup> May 2026. Discussion focused on the specifics of the proposed development, including proposals for connection to existing substation. The prospective applicant also outlined their view that the proposed development does not meet the requirements to constitute SID development, and that it would also not be considered a RED III development.
- 7.1.2. By email dated 12<sup>th</sup> May 2026, the applicant requested that the pre-application process be concluded.

## 8.0 Assessment

- 8.1.1. 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 110kV 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).
- 8.1.2. The proposed BESS is not a form of development that is listed in the Seventh Schedule of the 2000 Act. The proposed BESS will store electricity and have an energy demand, rather than generating electricity. While a high voltage (i.e. 110kV or greater) is included, this is to connect to an existing substation. The substation itself does form part of the transmission network but as existing infrastructure, does not form part of the proposal. While BESS facilities support the stable operation of the transmission network, by storing and releasing electricity, they do not comprise 'transmission' themselves within the definitions set out in legislation outlined in section 6 of this report above.

- 8.1.3. The proposed development comprises a BESS facility which will be directly connected into an existing substation adjacent to the proposed development site. For the purposes of this pre application determination, the Commission should note that the proposed BESS can be considered as 'electrical plant' within the meaning of the Electricity Regulation Act 1999, as outlined above. Of particular relevance to the determination as to whether the proposed development falls within the scope of the section 182A of the Planning and Development Act is that the substation to which the proposed development will be connected is existing and operational. The addition of the proposed development is therefore ancillary to this existing infrastructure and whilst it facilitates efficiency improvements to grid infrastructure in terms of the storage of electricity it merely transmits the stored electricity back to the substation from where it originated.
- 8.1.4. Having regard to the foregoing and based on the statutory definition and the information contained in the prospective applicant's request, I am satisfied that the proposed development does not fall within the scope of transmission. I note that this is consistent with previous determinations by the Commission.

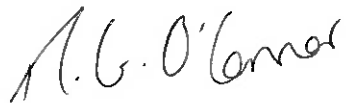
## 9.0 Conclusion

- 9.1.1. Based on the above assessment, I recommend that the Commission issue a determination that the proposed BESS development and grid connection does not fall within the scope of section 182A of the 2000 Act, as amended, and that a planning application should be made directly to Mayo County Council.

## 10.0 Recommendation

- 10.1.1. I recommend that the prospective applicant, Bord na Móna Powergen Limited, be informed that:
- (i) Proposed development of a Proposed Grid Connection for the development of a Battery Energy Storage System (BESS) at a site adjacent to Oweninny Wind Farm and surrounding townlands, County Mayo, 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 directly to Mayo 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.

A handwritten signature in black ink, appearing to read 'R. G. O'Connor', written in a cursive style.

**Rachel Gleave O'Connor**

**Senior Planning Inspector**

**26<sup>th</sup> May 2026**