



An
Coimisiún
Pleanála

Inspector's Report ACP-324418-26

Development

'Loop-in / loop-out' electricity substation compound with gas-insulated switchgear and associated buildings, transformers, equipment, lines and gantries

Location

Lands at Hedgestown townland, Lusk, County Dublin

Local Authority

Fingal County Council

Type of Application

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

Date of Site Inspection

7th September 2026

Inspector

Colm McLoughlin

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1.0 Introduction

- 1.1. On the 3rd day of July, 2026, the Commission received a request from the Electricity Supply Board (ESB) 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 a development consisting of the construction of a compound consisting of a 'loop-in / loop-out' electricity substation connecting into the Finglas - Stephenstown 110 kilovolt (kV) and Glasmore – Stephenstown 110kV double-circuit overhead line on lands in rural north County Dublin.
- 1.2. A pre-application consultation meeting was not held between representatives of the Commission and the prospective applicant in relation to this case. Correspondence requesting closure of the consultation process was received by the Commission on the 1st day of September, 2026.

2.0 Site Location and Description

- 2.1. The subject site of this pre-application request is located in the townland of Hedgestown, approximately 4km northwest of Lusk, and 350m southeast of junction 5 (Balbriggan south) to the M1 motorway. It features agricultural land, previously used as pasture, within an area dominated by tillage farming. The Fyffes fruit and vegetable warehouse and distribution facility is located on lands immediately to the north of the lands subject of this request. Overhead-electrical lines intersect the eastern corner of the lands and an agricultural access is available from a 200m stretch of frontage along the R132 regional road. The wider rural area features a gently-undulating, patchwork pattern of expansive agricultural fields, separated by mature trees and hedgerows, which are intersected by the M1 motorway corridor and a network of roads primarily connecting between settlements, farmsteads and one-off houses.

3.0 Proposed Development

- 3.1. The request is accompanied by a cover letter prepared by the prospective applicant, as well as a site location map and a proposed site layout plan. Based on the details submitted, the development subject of this pre-application consultation request

would comprise a 'loop-in / loop-out' electrical-substation compound with the following elements proposed:

- a substation compound (c.5,650 sq.m) enclosed by 2.6m-high palisade fence;
- a gas-insulated switchgear (GIS) building with eight 110kV bays;
- a GIS building with 14no. 38kV bays and 14 medium-voltage (MV) bays;
- two 110kV / 38kV, 63 megavolt ampere (MVA) transformers in bays;
- two 38kV / MV, 15MVA transformers in bays;
- three arc-suppression coils;
- a 110kV overhead line mast (c.26 m in height);
- four 110kV overhead gantries (c.16 m in height) to facilitate underground cable connections between the proposed GIS buildings and the existing circuits on Finglas – Stephenstown 110kV and Glasmore - Stephenstown 110kV double-circuit overhead line;
- associated and ancillary outdoor-electrical equipment, including underground cables;
- all associated site development works, including provision of access roads, lighting, fencing and site services, including drainage.

3.2. According to the prospective applicant, the proposed electrical-substation compound, which they refer to as the Courtlough substation, would be fed by 110kV circuits connecting to the GIS building featuring eight 110kV bays, transformers and medium-voltage offloading circuits. The substation would be owned by ESB Networks as the distribution-asset owner and it would not form a node on the national electricity transmission grid operated by EirGrid in its capacity as the transmission-system operator.

4.0 Prospective Applicant's Case

- 4.1. The prospective applicant asserts that the proposed development does not fall into the legislative definition for a strategic infrastructure development. With reference to a determination by the Commission confirming that a substation development in St. Vincent's University Hospital campus along Nutley Lane on the southside of Dublin city (ACP ref. 316225-23) would not comprise a strategic infrastructure development, the prospective applicant asserts that a similar determination would be justifiable with respect to the subject Courtlough substation.
- 4.2. In asserting that the proposals do not conform to strategic infrastructure development, the prospective applicant considers that the high-voltage power threshold set out within the legislation absorbs certain electrical developments into strategic infrastructure developments, however, this does not apply in the case of substations forming part of the distribution system network. Arising from the definition for 'transmission' in the Electricity Regulation Act 1999, as amended (hereinafter 'Electricity Act'), the prospective applicant considers that the ESB and the Commission for the Regulation of Utilities have authority to decide which lines and substations form part of the distribution system. The prospective applicant asserts that the subject Courtlough substation and the associated cables connecting to existing overhead lines would form part of the ESB Networks distribution system and would not form a node on EirGrid's national electricity transmission grid. As such, this 'loop-in / loop-out' substation would function as part of the distribution network serving the increasing electricity demands of the surrounding area. In doing so, the prospective applicant asserts that the proposed development does not meet the definition of electricity 'transmission' set out under section 2(1) of the Electricity Act, given that it can be considered to come within the definition set out in this Act for electricity 'distribution'.
- 4.3. According to the prospective applicant, in distributing electricity to end users, the proposed substation constitutes 'electrical plant', as defined under section 2(1) of the Electricity Act, and the voltage of the plant is not a material consideration in the determination. Accordingly, the prospective applicant concludes that the Courtlough substation development would not comprise development for the purposes of

electricity 'transmission' and, therefore, cannot be considered to conform to a strategic infrastructure development.

5.0 Planning History

5.1. Subject Lands and Surrounding Area

5.1.1. I am not aware of any planning applications relating to the lands subject of this pre-application request. The following planning applications are the most recent applications relating to lands in the immediate area to the subject site:

- An Coimisiún Pleanála (ACP) reference (ref.) 322429-25 / Fingal County Council (FCC) ref. F24A/0362 – in August 2025 the Commission decided to grant a ten-year permission for the demolition of structures, upgrades to a roundabout junction and roads, and the construction of 1km length of roads infrastructure north and south of the L1140 local road, approximately 500m to the west of the subject lands on the opposite side of the M1 motorway corridor;
- ACP ref. 319866-24 – application lodged in June 2024 for the North Irish Sea Array offshore wind farm, including an onshore cable running within a trench following the R132 regional road fronting the land subject of this pre-application request. In June 2026 the applicant responded to a request for further information;
- ACP ref. 304205-19 / FCC ref. F18A/0593 – in August 2019 the Commission decided to amend a contribution condition attached to a permission for the since constructed Fyffes facility immediately to the north of the subject lands.

5.2. Recent Pre-Application Determinations

5.2.1. The following table sets out a selection of the most recent determinations by the Commission relating to requests for pre-application consultations under section 182E of the Act of 2000 addressing developments 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 includes the case (ACP ref. 316225-23) referenced by the prospective applicant in their pre-application request correspondence.

Table 1. Recent Pre-Application Determinations

ACP ref.	Development Description	Decision Date	Decision
323975	110kV / 38kV (medium voltage) GIS electrical substation at the Portlaoise IDA Business and Technology Park, County Laois	2026	Is SID
323974	110 / 20 kV GIS electrical substation west of Glanmire, County Cork	2026	Is SID
323959	110kV / 38kV / medium voltage substation in Little Island, County Cork	2026	Is SID
322700	110kV / 38kV / medium voltage substation in Diageo complex, Steeven's Lane, Dublin 8	2026	Is SID
323789	110kV / 38kV / medium voltage GIS electrical substation at Belcamp, Clonsaugh, County Dublin	2026	Is SID
322289	110kV substation, 110kV underground cable and a 110kV strategic Griffinrath station near Celbridge, County Kildare	2025	Is SID
320535	110kV / 38kV / medium voltage substation west of Hansfield rail station in Walterstown, County Meath	2024	Is SID
319699	110kV underground cable and 110kV substation in Diageo complex, Steeven's Lane, Dublin 8	2024	Is SID
318011	Battery-energy storage system (BESS), 110kV substation and 110kV underground grid connection to Great Island substation in County Wexford	2023	Is SID
316225	110kV / MV substation within St. Vincent's University Hospital campus, Dublin 4	2023	Is not SID

6.0 Legislative Context

6.1. The Act of 2000

- 6.1.1. 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.
- 6.1.2. Under subsection 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 they shall apply to the Commission for such approval.
- 6.1.3. Subsection 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.'

6.2. Electricity Regulation Act 1999, as amended

- 6.2.1. The following relevant definitions are set out in section 2(1) of the Electricity Act:
- '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.'

7.0 Assessment

7.1. Having regard to the details submitted with the pre-application consultation request, I consider that there is adequate information available to the Commission to make a determination. The prospective applicant relies on the Electricity Act definition for electricity 'transmission', including a caveat excluding electrical infrastructure serving as part of the distribution system from coming within this definition. I accept that subsection 182A(9) of the Act of 2000 initially references the definition of

‘transmission’ in the Electricity Regulation Act 1999, as amended, however, this is immediately followed by an extension of the definition to include the transport of electricity by means of a line where the voltage would be 110kV or more.

- 7.2. The proposed substation would receive electrical power from an overhead line traversing the site at a high voltage (110kV) and within the substation plant this electrical power would be downrated to lower voltages (38kV and medium voltage), allowing for the power to be circulated to meet final customer demands. The applicant’s proposed site layout plan (drawing no.PE492-D313-003-002-000) details the indicative alignment of the 110kV high-voltage lines running underground from gantries at the existing overhead powerlines within the proposed substation compound. Elements of the plant within the proposed compound would operate and carry the electrical power at high voltage, including switchgear and transformers.
- 7.3. The prospective applicant considers the subject proposed electrical lines and plant intended as part of the proposed substation compound not to meet the statutory definition for electricity ‘transmission’, with reference to the provisions set out within the Electricity Act, which provide for high-voltage lines to be excluded from the definition of electricity ‘transmission’ where the Board, with the approval of the Commission, specify that these lines form part of the distribution system. In this definition the ‘Board’ refers to the ESB, who are also the prospective applicant in this case, and the ‘Commission’ refers to the Commission for Regulation of Utilities.
- 7.4. While I accept that there is scope for ‘electric lines’ to be considered as falling outside of the definition of ‘transmission’ set out in the Electricity Act, specifically where approved as forming part of the distribution system, it is clear that this does not extend to ‘high-voltage electric plant’, as it only refers to ‘lines’. The definition of ‘electric plant’ in the Electricity Act excludes ‘an electric line’.
- 7.5. Accordingly, the high-voltage electrical substation element of the proposed development must come within the definition of electricity ‘transmission’ as contained in the Electricity Act. Furthermore, for the purposes of this assessment the interpretation of electrical ‘transmission’ must be considered in a broader manner than solely relying on the definition contained in the Electricity Act. In my opinion, the elements of the proposal, as described by the prospective applicant, comprising high-voltage 110kV electrical lines and 110kV substation would conform to the

statutory definition of electricity 'transmission' as set out in subsection 182A(9) of the Act of 2000.

- 7.6. Since 2022, this type of loop-in / loop-out electrical substation 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. 322700 (Steeven's Lane) and 320535 (Walterstown). The prospective applicant relies upon a determination in 2023 (ACP ref. 316225-23) relating to a substation at St. Vincent's University Hospital in Dublin as providing precedent for the subject proposed substation. According to the prospective applicant, the subject Courtlough substation would form part of the existing ESB Networks distribution system. I have reviewed the ESB Networks 'Distribution Network Development Plan Part 2 - Distribution Network Development Report', which refers to each of these substations (Courtlough, Steeven's Lane, Walterstown and Nutley Lane) as forming 'new 110kV substations'. I am satisfied that the case relied upon by the prospective applicant as providing precedent for their opinion that the subject development does not meet the legislative definition for strategic infrastructure, is an outlier case, with the Inspector's report referring to cases determined during or prior to October 2021.
- 7.7. In conclusion, I am satisfied that the development subject of this pre-application request would comprise a development coming within the definition of electricity 'transmission' under section 182A(9) of the Act of 2000 and section 2(1) of the Electricity Act. As such, the proposals come within the provisions of section 182A of the Act of 2000 and are deemed to form a strategic infrastructure development. 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 the prospective applicant, the Electricity Supply Board, be informed that the proposed development consisting of the construction of a 'loop-in / loop-out', electricity-substation compound connecting into the Finglas - Stephenstown 110 kilovolt and Glasmole – Stephenstown 110 kilovolt double-circuit overhead lines on lands in the townland of Hedgestown, Lusk, County Dublin, as set out in the plans and particulars received by An Coimisiún Pleanála on the 3rd day of

July, 2026, does fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application for this development should be made in the first instance to An Coimisiún Pleanála.

- 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

8th September 2026

Appendices

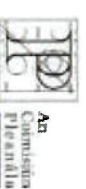
Appendix A. Prescribed Bodies

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:

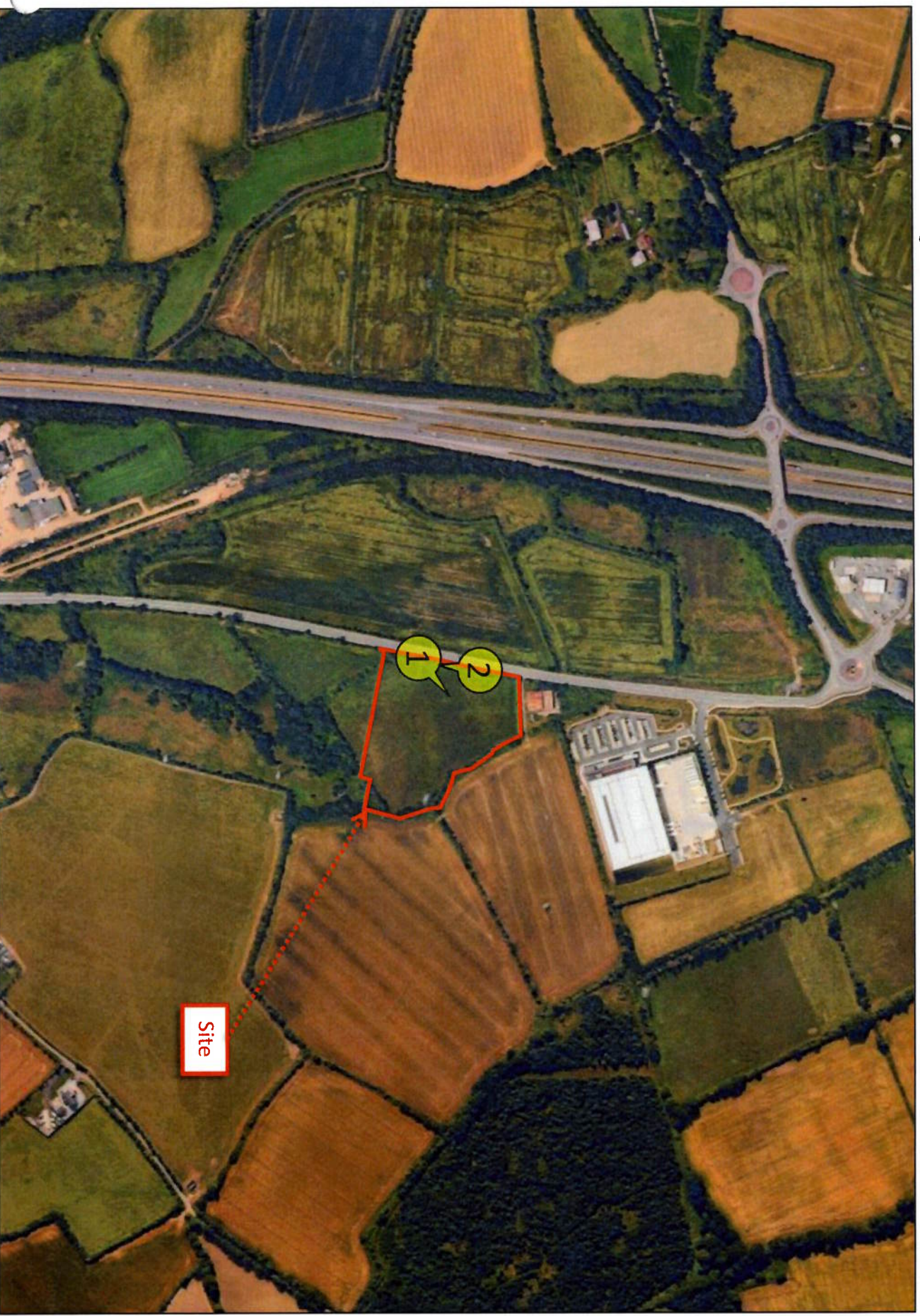
- Minister for Housing, Local Government and Heritage;
- Minister for the Environment, Climate and Communications;
- Fingal County Council;
- Commission for Regulation of Utilities;
- EirGrid;
- Transport Infrastructure Ireland,
- the National Transport Authority;
- Uisce Éireann;
- the Health Service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

Further notifications should also be made, where deemed appropriate.

Site Location Map



Locations of Photographs



View 1. View northeast into the site from an access along the R132 regional road



View 2. View south along the R132 regional road frontage to the site

