

An
Coimisiún
Pleanála

Inspector's Report

ACP-324422-26

Development	The proposed development of a 110/33 kV transformer compound and 110kV under the fence cable connection to the existing Trien 110kV substation.
Location	Located in the townland of Trienearagh, Co. Kerry
Prospective Applicant(s)	Circal Trienearagh Solar Limited
Type of Application	Application under 182E of the Planning and Development Act 2000, as amended.
Planning Authority	Kerry County Council
Date of Site Inspection	19 th August 2026
Inspector	Liam Bowe

1. Introduction

The Commission received a request on 17th June 2026 from the prospective applicant, Circal Trienearagh Solar 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 development of a 110/ 33 kV transformer compound and 110kV under the fence cable connection to the existing Trien 110kV substation at Trienearagh, Co. Kerry.

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

The existing Trien 110kV substation is located in the townland of Trienearagh, Co. Kerry. The subject site is located on the south side of, and accessed from, the R555 regional road. This regional road links the town of Listowel in Co. Kerry to the town of Abbeyfeale in southwest Co. Limerick and links the N69 and N21 national routes.

The site of the proposed development is not located within or adjoining any European Sites. The nearest sites are Lower River Shannon SAC (Site code: 002165), located c.900m to the north and c.1.75km to the east of the site, Moanvenlagh Bog SAC (Site code: 002351) located c.2.4km to the north of the site, and Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004161) located c.4.3km to the south and c.5km to the east of the site. Similarly, Moanvenlagh Bog pNHA is located 2.4km to the north of the site.

3. Description of Proposal

The application includes a Site Layout Map (Drawing No. 27147-XX-DTM-DR-MWP-CE-0001 Rev.2 refers) which demonstrates the proposed compound layout including modular buildings, voltage and ancillary equipment, and connection to the national grid. Essentially, the compound would be an Independent Power Producer (IPP) facility linked by underground cabling to a proposed solar farm. The medium power voltage generated by the solar farm would be stepped up to 110kV in order to connect to the adjacent substation.

The proposed development is described as comprising the following elements:

- 2 no. modular buildings.
- A 110kV transformer with associated equipment.
- Security fencing.
- Interface kiosk.
- Lightning mast.
- Lightning column.
- 110kV underground cabling.
- 33kV underground cabling associated with the solar fields.

4. Prospective Applicant's Case

The prospective applicant's case, as outlined in the cover letter submitted, states that the transformer compound and 110kV under the fence connection will facilitate the connection of a proposed solar farm to the existing 110kV Trien substation. This substation is located in the adjacent field immediately to the east and it is operated by EirGrid. The proposed compound will also provide grid stability and grid support services to the national electricity grid.

The Applicant contends that the proposed development would not be of a scale to justify being considered of strategic economic or social importance to the State. The Applicant also highlights that the Commission have determined in previous cases

that similar development was not strategic infrastructure. It is, therefore, argued that the development does not constitute SID.

5. Planning History

P.A. Ref. No. 21624: Permission granted for the construction of a new 110kV control building at the existing substation and all associated electrical and civil works (30th July 2021).

P.A. Ref. No. 11998: Permission granted to alter existing 110kV station (23rd February 2012).

P.A. Ref. No. 071325: Permission granted to erect ESB Trien 110kV electrical transformer station (24th July 2007).

P.A. Ref. No. 07255: Permission granted for alterations to the existing 110kV electrical transformer station to include the addition of a new 110kV line bay (20th March 2007).

P.A. Ref. No. 012361: Permission granted to install a 30MVAR 110kV detuned capacitor bank and associated equipment in the existing Trien 110kV station (10th January 2001).

6. Precedent Cases

The prospective applicant cites a large number of cases where the Commission determined that similar development is not SID under S.182A. These cases, and others that I consider to be of relevance, I have outlined below for the Commission's information.

ABP Ref. No.	Location	Development Description	Decision Date	Decision
321201	Kildare	'Under the Fence' ('UTF') Transformer Compound	2024	Not SID
320197	Clare	Transformer Compound	2024	Not SID

319398	Galway	Transformer Compound	2024	Not SID
319395	Kilkenny	Transformer Compound	2024	Not SID
319241	Cork	Battery Energy Storage System (BESS) and connection to the adjacent 220kv Ballyvouskill Substation (This also included an IPP and UTF connection)	2024	Not SID
319157	Donegal	'Under the Fence' ('UTF') Transformer Compound	2024	Not SID
318491	Kerry	Transformer Compound	2024	Not SID
316369	Limerick	Generator Transformer Compound	2023	Not SID
315827	Galway	Transformer	2023	Not SID
314400	Sligo	Transformer	2022	Not SID
312013	Longford	Transformer Compound	2022	Not SID
309420	Galway	110kV substation to feed into existing Cashla 220/110kV substation	2021	Not SID

7. Legislative Provisions

7.1 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.

7.2 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".

8. Consultation Meeting

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

9. Assessment

As noted in section 7 above, the definition of 'strategic infrastructure' includes development comprising or for the purposes of electricity transmission, with transmission described 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).

Based on the information on file, I am satisfied the existing Trien 110kV substation does form part of the electricity transmission system for the purposes of the Planning Act.

However, from the same information, it is clear the proposed small scale Independent Power Producer (IPP) is intended to simply facilitate an 'under the fence' electrical connection to the Trien substation. It does not propose altering the function or nature of the Trien substation nor is it proposed to form part of the national transmission grid.

The prospective applicant indicates the proposal is for the purpose of enabling the connection of a future solar PV development to the national grid. The location of the proposed solar farm is not shown on the drawings submitted.

It is my understanding an IPP facility typically adjoins transmission infrastructure, e.g. as part of or to facilitate electricity generated from a new solar farm or wind energy development. The proposed transformer compound and under the fence

connection will operate as an ancillary element to the nearby existing substation. It will not transmit electricity in a sense consistent with the legislative meaning of 'transmission' as set out in section 7 of this report.

I note the Commission has previously determined requests for 182E pre-application consultations for similar proposals. In particular, I refer to ABP-321201-24 near Maynooth in Co. Kildare and ABP-319395-24 near Ballyraggett in County Kilkenny. These consultations were for Transformer Compounds enclosing a 110kV electricity transformers, electrical control buildings, and underground cables. The Commission determined in both cases that such development does not fall within the scope of section 182A and consequently a planning application should be made in the first instance to the local planning authority.

What is proposed in this instance is a transformer compound, or IPP facility with an underground cable connection to the existing Trien substation. This will then facilitate a development under a separate planning application to Kerry County Council for a solar farm for export of generated electricity to the grid via the existing Trien substation. It is at this point the medium voltage power generated by the solar farm would step up from 33kV to 110kV and enter the transmission network from the substation.

This interpretation is consistent with other recent Commission determinations, such as ABP-321201-24, ABP-319395-24, ABP-319241-24, ABP-319157-24 and ABP-316369-23 which the Commission deemed did not fall within the scope of section 182A of the Act.

The subject proposal therefore does not satisfy the criteria to constitute 'transmission' as defined in the Planning and Development Act 2000 (as amended) and Electricity Regulation Act 1999.

Having regard to:

- The limited nature and scale of the proposed development,
- Its intended purpose, comprising a transformer compound to facilitate a solar PV development with connection to the existing Trien 110kV substation,
- The meaning of 'transmission' as specified under the relevant legislation which the proposed development does not come within,

- The lack of wider impact on the operation of the transmission system in the area, and
- Previous Commission decisions in respect of similar requests for pre-application consultation, particularly references ABP-321201-24, ABP-319395-24, ABP-319241-24, ABP 319157-24 and ABP-316369-23,

I consider that the proposed development does not constitute Strategic Infrastructure Development.

In conclusion, therefore, I recommend that the Commission issue a determination that the proposed development consisting of an 'Under the Fence' ('UTF') Transformer Compound does not fall within the scope of section 182A of the 2000 Act, as amended. A planning application should be made to Kerry County Council, in the first instance.

10. Recommendation

I recommend that the prospective applicant, Circal Trienearagh Solar Limited, be informed that:

the proposed development of an 'Under the Fence' ('UTF') Transformer Compound adjacent to the existing Trien 110kV substation located in the townland of Trienearagh, Co. Kerry 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 Kerry 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

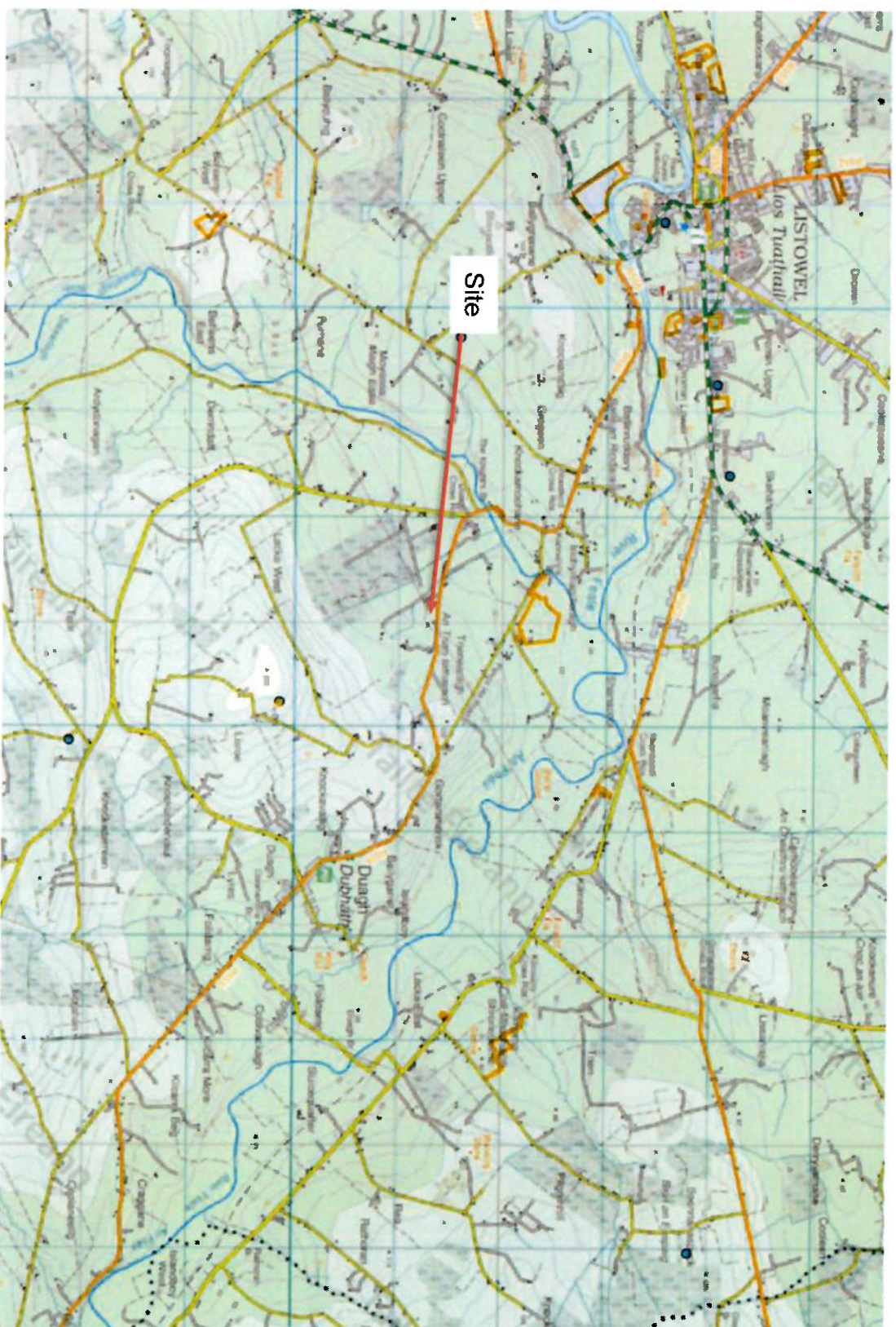


Liam Bowe

Senior Planning Inspector

9th September 2026

Site Location Map



Key Map

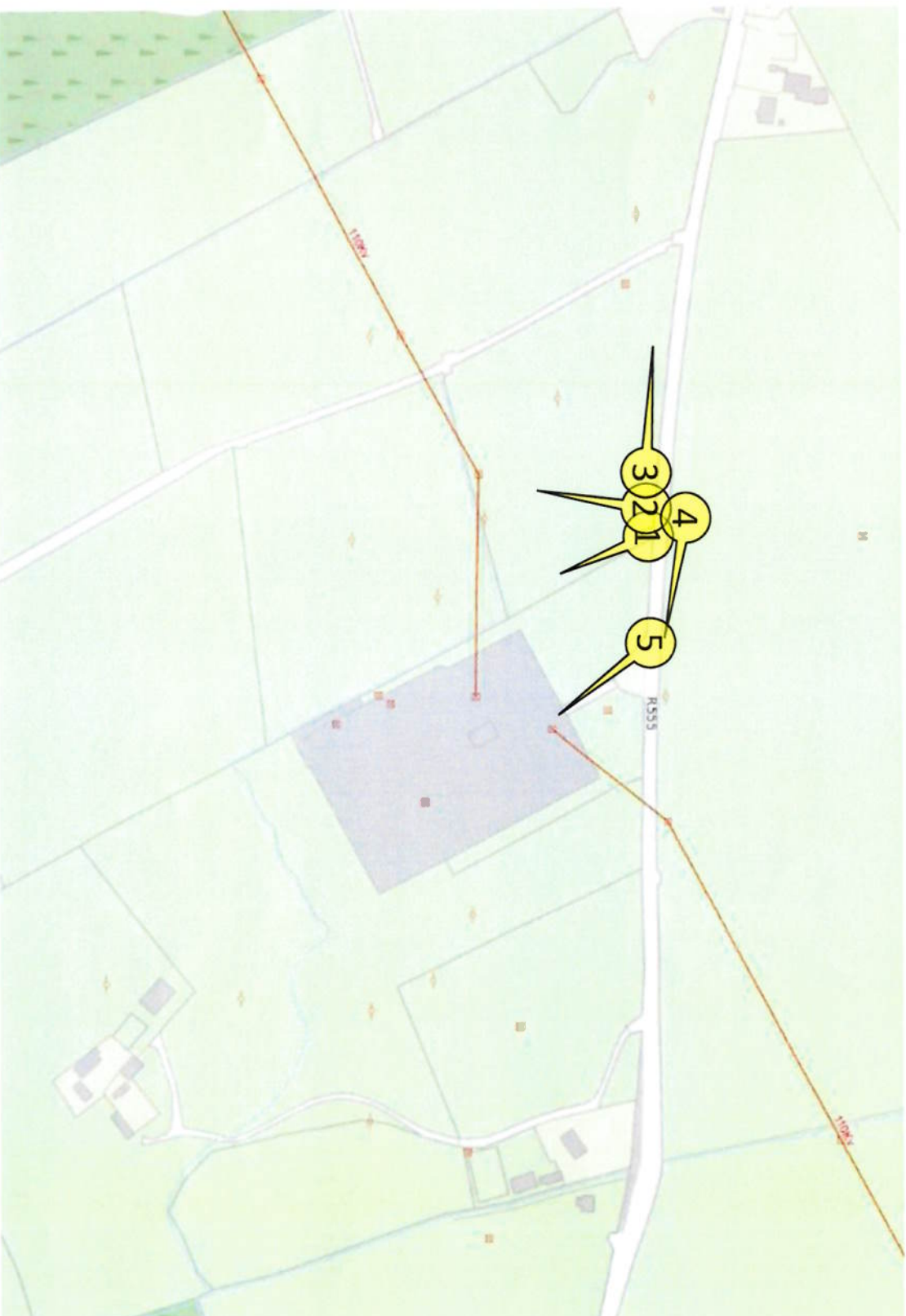


Photo 1 – View along eastern site boundary



Photo 2 – View across body of the site towards existing lattice tower at SW corner of the site



Photo 3 – View along northern boundary of the subject site



Photo 4 – View east along public road towards entrance to existing Trien 110kV substation



Photo 5 – Existing Trian 110kV substation immediately to the east of the subject site

