

An
Coimisiún
Pleanála

Inspector's Report ABP-324438-26

Development	Proposed diversion of the existing Aghada-Whitegate 110kV circuit
Location	located at Aghada, Ballincorrig, Co. Cork
Planning Authority	Cork County Council
Prospective Applicant(s)	Electricity Supply Board (ESB)
Type of Application	Pre-Application Consultation.
Site Visit Date	28 th August 2026
Inspector (Reporting)	Ronan O'Connor

1.0 Introduction

ESB is seeking confirmation from An Coimisiún Pleanála (ACP) as to whether the proposed diversion of the existing Aghada-Whitegate 110kV circuit at a site located in the townland of located at Aghada, Ballincorrig, Co. Cork constitutes Strategic Infrastructure Development (SID) in accordance with Section 182A of the Planning and Development Act 2000 (as amended).

2.0 Site Location and Description

The existing 110kV circuit overhead line proposed for diversion is located in the townland of Ballincarroonig between the villages of Aghada and Whitegate in Co. Cork. The site is surrounded by existing electricity infrastructure, with existing Aghada electricity generation station on the northwest side, and a Battery Energy Storage System (BESS) compound is situated on west side of the site.

Cork Harbour SPA is located c400m to the west of the site at its closest point.

3.0 Proposed Development

The proposal is to divert the existing overhead lines as the land they traverse, as outlined in Figure 2.1 of the applicant's covering report, is intended to be developed, subject to planning permission, for a proposed energy development.

The proposed 110kV line diversion alternatives would consist of diversion of an existing 110kV line, which includes underground cabling and a cable line interface tower. The applicants have indicated 2 alternative routes (alternative A and B), with 'Alternative A' running to the eastern boundary of the site to join up with the existing 110kV line, via a proposed interface mast, and 'Alternative B' running to the west of the 'future development site', to up with the existing 110kV line, via a proposed interface mast. This is shown on Figure 2.2 of the applicant's covering report and is also indicated on submitted Drawing 'P000491-CE21-01-0041-001-000 - 110 kV Diversion ACP'. However, the applicants have indicated that the final route and details will be agreed with EirGrid / ESB Networks during detailed design.

1.0 Pre-Application Consultation Meetings

As per pre-applications of this similar nature to the proposal here, it was concluded that no meeting was required in relation to this pre-application. As such the pre-application now proceeds to the reporting stage.

2.0 Precedent Decisions

There are a large number of precedent decisions in relation to developments of this nature, there are summarised in the table below:

Table 1: Precedent Pre-Application Decisions Concluded Not to be SID

ABP Ref.	Development Description	PA	Decision Date	ABP Decision
314767	Upgrading of the existing Poolbeg 200kV electrical substation	Dublin City Council	2023	Not SID
314111	Upgrading of the existing Woodland 400/200kV electrical substation	Meath County Council	2022	Not SID
313964	Proposed redevelopment of the existing Maynooth 220kV / 11 0kV electrical substation	Kildare County Council	2022	Not SID
313227	Proposed diversion of the existing Maynooth-Ryebrook 110kV circuit, along the eastern edge of the site at Collinstown linking back into the OHL section at Lidl at Intel Campus in Leixlip	Kildare County Council	2022	Not SID

3.0 Prospective Applicants Case

In the application documentation, the applicant contends that the proposed development does NOT constitute Strategic Infrastructure Development (SID). Reference is made to the following relevant legislation:

- Section 182A (1) of the PDA, as amended (see details of same in Section 5 below).
- Subsection 9 of same (see details of same in Section 5 below).

In relation to Section 182A(9) of the Planning and Development Act, 2000 (as amended), the applicant highlights that same sets a threshold of 110 kV for a high voltage electricity transmission line to be considered 'strategic infrastructure'. The applicant notes that no threshold is set in respect of a substation.

The applicant sets out that the proposed development is not a new development; rather, it involves the diversion of existing overhead lines. The proposed works will not have impacts on the route of the line and its voltage and capacity will remain unchanged, and in conclusion, it is a minor diversion of an existing section of transmission line. It is contended that the proposal falls outside the scope of Section 182A of the Planning Act, and a planning application should, in the first instance, be made to the local planning authority.

The applicant further states that numerous similar projects have been determined by the ACP in the past to NOT constitute SID, for example ACP-313227-22 (as included in Table 1 above).

4.0 Legislative Provisions

Planning and Development Act 2000, as Amended

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)"

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.

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.”

Electricity Regulation Act 1999, as Amended

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 Board¹ 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 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,

¹ For clarity, references to the ‘Board’ in this instance relate to the Electricity Supply Board.

electric plant, transformers and switchgear and which is used for conveying electricity to final customers.”

5.0 Assessment

The main consideration, in my opinion, is the primary purpose of the proposed diversion. It is outlined by the prospective applicant that primary purpose of the proposed development is to allow the development of the land that the lines currently traverse, for a proposed energy development, subject to planning permission for same. The proposed 110kV line diversion alternatives would consist of diversion of an existing 110kV line, which includes underground cabling and a cable line interface tower and the applicants have indicated 2 alternative routes (alternative A and B), with ‘Alternative A’ running to the eastern boundary of the site to join up with the existing 110kV line, via a proposed interface mast, and ‘Alternative B’ running to the west of the ‘future development site’, to up with the existing 110kV line, via a proposed interface mast. While both alternatives would will see a slight increase in the length of the line as a result of having to divert around the site, and both would see the provision of an additional line cable interface mast, this is considered ancillary to the primary purpose of the development, which is to divert the existing 110kV line to facilitate future development of the site. The works do not constitute the provision of a new 110kV line. The proposals do not involve an ‘upvoltage’ of the existing line (e.g. where an existing 110kV is being ‘upvolted’ or stepped up to 220Kv). The voltage remains the same (i.e. 110kV).

Furthermore, while the works are related to the transmission network, and while there would be a marginal increase in the length of the line, the development is not being proposed for reasons related to improving the transmission network and is simply a minor diversion of the existing transmission network. The proposed cable interface mast, is not, in my view, ‘electric plant’ associated with the 110kv line (as per the definition in 2(1) of the Electricity Regulation Act, 1999 referenced above), and in any case, and as noted above, the development is not for a new 110kV line, rather is a diversion of an existing 110kV line.

The Commission will note, in making decisions on strategic infrastructure pre-application consultation requests under section 182E, in relation to works to

electricity transmission infrastructure of a relatively minor nature, and in the context of the lack of clarity in the interpretation of section 182A, that it has exercised some discretion. Specifically, it has referenced the broad definition of the Strategic Infrastructure Act, developments of strategic importance to the State. While the electrical generation facilities, and the associated 110kV line, may be of strategic importance, the proposed development in itself would not, in my opinion, be strategic as it comprises a minor amendment to the transmission network to divert an existing line with no strategic gain to the network itself.

I would refer the Commission to Table 1 above, where similar developments have been determined NOT to be SID. In particular, I would refer the Commission to case reference 313227² where the proposed diversion of the existing Maynooth-Ryebrook 110kV circuit was concluded NOT to be SID. I am of the view that, notwithstanding that it pertains to a different site, the nature of the development proposed under 313227 is such that it can be considered as a precedent, and provides further assurance to the Commission that the development as proposed here is not SID.

Having regard to the stated purpose of the 2006 Act as set out in the long title, I consider that the proposed development as described, comprising a minor diversion of an existing section of transmission line, would not constitute strategic infrastructure. In addition, the works do not constitute new 110kV overhead lines, rather they comprise of minor works to an existing 110kV lines. I conclude, therefore, that it does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating the making of an application directly to the board. expressly cited for cases coming forward under s. 182A).

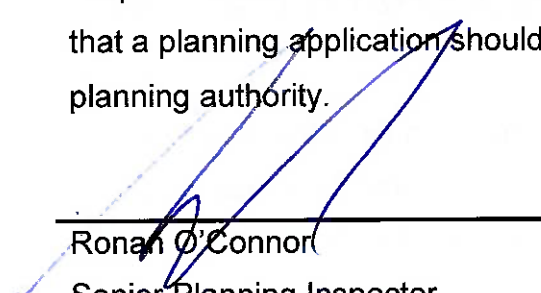
I am therefore satisfied that the proposed diversion of the existing Aghada-Whitegate 110kV circuit does NOT constitute Strategic Infrastructure Development (SID).

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.

² <https://www.pleanala.ie/en-ie/case/313227>

6.0 Recommendation

I recommend that the prospective applicant, ESB, be informed that the proposed development, consisting of the diversion of the existing Aghada-Whitegate 110kV circuit, on lands located at Aghada, Ballincorrig, Co. Cork as set out in the plans and particulars received by An Bord Pleanála on the 02/07/2026, 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 the relevant planning authority.



Ronan O'Connor

Senior Planning Inspector

31st August 2026