



An
Bord
Pleanála

Inspector's Report Strategic Infrastructure pre application consultation 08.VC0109

Development	Proposed provision of a new reactor at existing Knockanure 220kV substation.
Location	Knockanure 220kV substation, Knockanure, Co Kerry.
Planning Authority	Kerry County Council.
Prospective Applicant(s)	EirGrid plc.
Type of Request	Section 182E request for SID Pre-application consultation – whether project is or is not strategic infrastructure development.
Inspector	Philip Green.

1.0 Proposed Development

1.1. EirGrid plc. propose

- to install a new reactor at the Knockanure 220/110kV electricity substation Co Kerry. It is stated that the reactor is a piece of equipment approx. 10m. high, with a footprint of 25m x 20m. approx. which will connect into the existing substation infrastructure. (Note: Reactors are equipment that maintain voltages within acceptable limits).
- Photograph of a typical reactor along with a plan and elevation of a reactor granted permission in Dublin City (ABP pre application consultation reference VC0070) – Poolbeg) are provided with the request. Exact details of the reactor in Knockanure are still to be finalised.
- Existing substation consists of fenced compound, 2 buildings and some outdoor transmission equipment (site plan attached).
- Development will include construction of a reactor (50MVA shunt reactor) and associated civil works adjacent to the east of the existing substation buildings and within overall substation lands, extension to compound palisade fence to facilitate siting of new reactor which will read as part of the overall substation, connection of the new reactor to existing 220kV GIS building via underground cables and associated installation of control and protection systems to integrate new equipment into existing substation (assumed these will be within existing building envelopes).
- Existing site is sloped and height difference between finished ground level and highest point of land surrounding is 7 metres. Due to topography it is proposed to locate the new reactor immediately to the east of the existing building (see site plan provided). This will minimise cut and fill required. No visual impact arises as substation is not visible from any public viewpoint due to intervening topography and vegetation.

1.2. Stated that the Knockanure 220/110kV substation is an important node in the southwest region. Located under the Clashavoon-Tarbert 220kV line near village of

Shroneberne approx. 8km. south east of Listowel and approx. 2.5km north east of Duagh village (see location map provided). Station granted by ABP under ref 08.VA0011 and (amendment) VM0006 and works are now complete.

- 1.3. Approximately 1,720 MW of wind energy is expected to be connected to the transmission and distribution systems in the south west in the coming years. The new substation was constructed to accommodate this as well as underground cabling in the area.
- 1.4. New reactor required to prevent over voltages arising from the underground cables particularly under low wind scenarios. The reactor will ensure EirGrid upholds its licence obligations to ensure a safe, secure and reliable transmission grid. It is considered to be the most effective and least cost solution having regard to environment and its licence obligations.

2.0 Applicant's case

2.1. Development not considered to be strategic infrastructure given:

- While of considerable benefit to the network from a technical perspective from a planning perspective the development is essentially an enhancement of existing substation infrastructure;
- Given nature, function and scale and fact that it is primarily required to facilitate the improved operation of the existing substation and the Grid in the area it is not of itself of strategic importance to the State. Nor does it meet any other provisions for SID set out in Section 37A(2) of the Act.
- Notes Board previous decisions in respect of 29 VC0070 (development of 2 no. 50MVAr reactors at Poolbeg substation in Dublin - decision of Board as not constituting SI on that pre application consultation attached to request). Also referred to are cases VC0026 and VC0025 for installation of 250 MVA 220/110kv transformers at Killoran and Knockraha substations which were not deemed SI;
- EirGrid's preliminary view is that neither appropriate assessment nor environmental impact assessment is required for the proposed development.

This was not a factor in the Inspector's report in VC0070 and these circumstances are similar.

- Notwithstanding the above Board may wish to consider whether proposed additional infrastructure comprising an alteration to permitted under SID (VA0011) should be subject of a s.146B request.

3.0 Legal Provisions

3.1. Under section 182A(1) of the 2000 Act (inserted by section 4 of the 2006 Act) where a person (thereafter referred to as the 'undertaker' intends to carry out development comprising or for the purposes of electricity transmission (hereafter referred to in this section and section 182B as 'proposed development'), the undertaker shall prepare, or cause to be prepared, an application for approval of development under section 182B and shall apply to the Board for such approval accordingly.

Subsection 9 states that

In this section '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.

In section 2(1) of the Electricity Regulation Act, 1999, "transmission" is defined in relation to electricity as meaning

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.

4.0 **Assessment**

- 4.1. I note Eirgrid's submission that this may be a case where the provisions of s. 146B apply (alterations by Board of strategic infrastructure development). S.146B applies where any person who '... is carrying out or intends to carry out a strategic infrastructure development...' may request to alter the terms of the development the subject of a planning permission, approval or other consent. It would appear in this case that 'the development' of the substation itself was approved by the Board under 08. VA0011 and subject to an amendment under VM0006. This development has been completed. The proposed development subject of this current pre application consultation request did not form part of those original approvals. In my opinion the s146B process applies to alterations to development either being carried out or intended to be carried out under the auspices (terms) of the development subject of the approval. This does not in my opinion apply in this instance. Such proposals constitute development in their own right. In addition, given the comments below I consider that the proposed development in itself does not constitute strategic infrastructure under s.182A.
- 4.2. The Board will note previous decisions it has made on SI pre application consultation requests in relation to electricity transmission infrastructure under S.182E and involving amendments, additions and expansion of electricity substation infrastructure (including those cases referred to by the prospective applicants). In these cases due to lack of clarity in the interpretation of s.182A and its requirements in regard to developments of such a nature the Board has exercised some discretion and used the broad definition of the SI Act, "developments of strategic importance to the State", and the criteria contained in s.37(A)(2) to determine such matters (although not specifically cited in regard to cases coming forward under s. 182A).
- 4.3. I would accept that the proposed development is similar to a number of previous proposals in other locations where the Board determined that the development did not fall within the scope of section 182A of the Planning and Development Act, 2000,

as amended. I consider that the examples cited by EirGrid are relevant (files referred to attached).

- 4.4. Having regard to the nature and scale of the proposed development and its relationship to the existing substation, to the stated purpose of the 2006 Act as set out in the long title and to the general description and scale of strategic infrastructure development set out in section 37A(2), I conclude that the proposed development consisting of the proposed provision of a new reactor at the existing Knockanure 220kV substation, Knockanure, Co Kerry does not fall within the scope of section 182A of the Planning and Development Act 2000, as amended.
- 4.5. I draw the Board's attention to the statement in EirGrid's new Grid Development Strategy to optimise the existing grid which puts the upgrading of such facilities clearly in a more strategic planning context. However, I do not consider that such a statement would justify in the circumstances of this case and notwithstanding extending the built form of the existing substation, giving the proposed development, a strategic infrastructure status.
- 4.6. The Board should note that under pre application consultation request 08. VC0080 the Board determined that the uprating of the existing 220kV overhead electricity circuit between Knockanure substation Co Kerry and Ballyvouskill substation Co Cork did not constitute strategic infrastructure. A planning appeal reference 08. 248216 for the uprating of a section of this route and forming part of the existing Clashavoon to Tarbert 220kV overhead line is presently before the Board.

5.0 Recommendation

- 5.1. I recommend that EirGrid plc. be informed that the proposed provision of a new reactor at the existing Knockanure 220kV substation, Knockanure, Co Kerry as set out in the plans and particulars received by An Bord Pleanala on the 21st August 2017 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.

Philip Green

Assistant Director of Planning
2nd November 2017