

An  
Bord  
Pleanála

## Record of Meeting ABP-315476-23 1<sup>st</sup> meeting

Description	ABP-315476-23 - Proposed 110kV substation to feed into the existing Drumline-Ennis 110kV overhead line (OHL) circuit, within the townland of Coolshamroge, Ennis, Co. Clare.		
Case Type	Pre-application Consultation		
1st / 2nd / 3 <sup>rd</sup> Meeting	1 <sup>st</sup> Meeting		
Venue	Virtually by Microsoft Teams		
Date	03/03/2023	Time	11:00am -11:25am
Representing An Bord Pleanála			
Ciara Kellett, Director of Planning (Chair)			
Máire Daly, Planning Inspector			
Sarah Caulfield, Executive Officer		s.caulfield@pleanala.ie	01-8737287
Representing the Prospective Applicant			
Colleen Patterson – Neo-Environmental Ltd			
Paul Neary – Neo-Environmental Ltd			
Rachel Buchanan – Renewable Energy Systems (RES) Ltd			
Edel Burke – Renewable Energy Systems (RES) Ltd			

## **Introduction:**

The Board referred to the letter received from the prospective applicant on the 6<sup>th</sup> January 2023, requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.



## **Presentation by the prospective applicant:**

The prospective applicant began its presentation by providing a brief introduction to the project team and topics to be discussed during the meeting. Renewable Energy Systems (RES) Limited has been active in Ireland for over 20 years with a portfolio of approximately 400MW in solar development across the country.

The prospective applicant obtained planning permission for Manusmore Solar Farm (Clare County Council Planning Reference: 20562) in November 2020 and Manusmore Solar Farm Extension (Clare County Council Planning Reference: 21915) in November 2021. The Coolshamrock Solar Farm (Clare County Council Planning Reference: 22586) is currently being assessed and a decision is expected imminently. The proposed 110kV loop-in loop-out substation is to facilitate both solar farms and the solar farm extension.

The proposed substation is located within the townland of Coolshamroge, Co. Clare, which lies approximately 7 kilometres southeast of Ennis and 4.2 kilometres east of Clarecastle. The substation is proposed to be located within the boundary of the Coolshamrock Solar Farm which is awaiting a planning decision and comprises of 3 fields which are relatively flat in nature. Landowner agreements have been obtained.

The proposed site does not fall within any designated areas.

The prospective applicant said access to the proposed substation would be via a private lane, which is the same access used in the Coolshamrock Solar Farm application.

The prospective applicant presented several slides which illustrated the substation layout. It was noted that the substation design would be in line with EirGrid's 110kV substation requirements.

The proposed substation consists of the following elements, an EirGrid HV substation compound, customer transformer compound, customer MV compound, 2 number new overhead line towers, 2 number control buildings and palisade and concrete post and rail fencing. The proposed method will be a loop in loop out connection to feed into the existing Drumline – Ennis 110kV circuit.

A loop in loop out grid connection offer was provided by Eirgrid on the 31<sup>st</sup> October 2022 and the prospective applicant accepted this offer on the 2<sup>nd</sup> March 2023. It was noted that the proposed location and design are compliant with EirGrid's specifications.

Surveys relating to ecology, archaeology, noise, and transport have been carried out and further surveys are anticipated prior to submission.

The prospective applicant is of the opinion that the proposed infrastructure will not constitute EIA Development.

## **Discussion**

The following matters were discussed:

- In response to a query on the matter, the prospective applicant highlighted the location of the existing overhead line and the new towers which would facilitate the connection into this existing line. It was noted that the connection would be via underground cables from the new towers into the substation.
- The prospective applicant confirmed that a Natura Impact Statement would be submitted as part of the planning application.
- Given the archaeological heritage of the area and the presence of monuments in the vicinity of the site, the Board's representatives said a robust archaeological impact assessment would be required for the site.
- The Board's representatives reminded the prospective applicant to be cognisant of existing residential dwellings in the area and to allow appropriate separation distances. Possible screening around the site should also be considered.
- The Board's representatives said based on the information provided, it is unlikely that the proposed development would require an EIA as it is not a class of development under the EIA Directive.



- The prospective applicant said supporting documentation would include a Landscape and Visual Impact Assessment, Archaeological Assessment, Ecological Appraisal, Natura Impact Statement, Construction Traffic Management Plan, Planning Statement, among others.

## Conclusion

The record of the meeting will issue to the prospective applicant, and it will then be a matter for the prospective applicant to submit any comments on this if it wishes to do so. It will be a matter for the prospective applicant to revert to the Board if it requires a further meeting or if it wishes to close the pre-application consultation process.

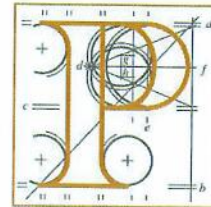
*Ciara Kellett 22/3/23*

**Ciara Kellett**

**Director of Planning**

**Our Case Number:** ABP-315476-23

**Your Reference:** Renewable Energy Systems (RES) Limited



**An  
Bord  
Pleanála**

Neo Environmental  
83-85 Bridge Street  
Ballymena  
BT43 5EN  
Northern Ireland

**Date:** 24 March 2023

**Re:** Proposed 110kV substation to feed into the existing Drumline-Ennis 110kV overhead line (OHL) circuit within the townland of Coolshamroge, Ennis, Co. Clare.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the meeting of the 3 March 2023.

If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Sarah Caulfield  
Executive Officer  
Direct Line: 01-8737287

VC07

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**Our Case Number:** ABP-315476-23

**Your Reference:** Renewable Energy Systems (RES) Limited



An  
Bord  
Pleanála

Colleen Patterson  
Neo Environmental  
83-85 Bridge Street  
Ballymena  
BT43 5EN  
Northern Ireland

**Date:** 12 June 2023

**Re:** Proposed 110kV substation to feed into the existing Drumline-Ennis 110kV overhead line (OHL) circuit  
within the townland of Coolshamroge, Ennis, Co. Clare.

Dear Madam,

Please be advised that following consultations under section 182E of the Planning and Development Act, 2000, as amended, the Board hereby serves notice that it is of the opinion that the proposed development falls within the scope of section 182A of the Planning and Development Act, 2000 as amended. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 182A of the Planning and Development Act, 2000, as amended. Any application for approval for the proposed development must therefore be made directly to An Bord Pleanála under section 182A(1) of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As only one meeting was required in this case, a refund of €3,500 will be sent to you in due course.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

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Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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Yours faithfully,



Sarah Caulfield  
Executive Officer  
Direct Line: 01-8737287

VC11

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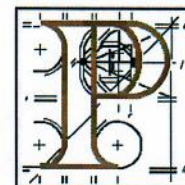
64 Marlborough Street  
Dublin 1  
D01 V902



## List of Prescribed Bodies to be Notified.

- Minister of Housing, Local Government and Heritage
- Minister for Environment, Climate and Communications
- Clare County Council
- Transport Infrastructure Ireland
- Fáilte Ireland
- An Taisce
- The Heritage Council
- Irish Water
- Inland Fisheries Ireland
- Commission of Regulation of Utilities, Water and Energy
- Health and Safety Authority

Further notifications should also be made where deemed appropriate.



## Electricity Applications Procedures

- The application must be made by way of full completion of application form to An Bord Pleanála.
- The sequencing of the application process and the content of the public notice is as set out at section 182A of the Planning and Development Act, 2000, as amended.
- The Board requires as a minimum that the public notice of the application would be in two newspapers circulating in the area to which the proposed development relates, one of which should be a national newspaper (A sample public notice is attached). A site notice may be required in certain circumstances in respect of structures such as sub-stations and, where required, should accord with the protocols set out in the Planning and Development Regulations 2001-2011. The date of the erection of the site notice is to be inserted; otherwise it should contain the same information as the newspaper notices and should remain in place for the duration of the period during which the public can make submissions to the Board.
- The documentation relating to the application is to be available for public inspection at the offices of the relevant planning authority and the offices of An Bord Pleanála. In this regard the requirements in terms of the number of copies of the documentation to be lodged with the relevant planning authority and the Board is as follows:
  - Planning Authority – 5 hard copies and 2 electronic copies.
  - An Bord Pleanála – 2 hard copies and 8 electronic copies.
- The Board also requires the prospective applicant to provide a stand-alone website containing all of the application documentation. The address of this website is to be included in the public notice.
- The public notice of the application is to indicate that the application documentation will be available for public inspection after the elapsment of at least 5 working days from the date of the publication of the notice so as to ensure that the documentation is in place for such inspection.
- The time period for the making of submissions by the public is to be at least seven weeks from the date the documents become available for inspection (not from the date of publication of the public notices). The Board requires that the public notice must indicate the deadline time and



date for the making of submissions to the Board. It was agreed that the prospective applicant would advise the Board's administrative personnel in advance of the details of its proposed public notice and that any further definitive advice on same including confirmation of dates/times could be communicated at that stage.

- The service of notice of the application on any prescribed bodies must include a clear statement that the person served can make submissions to the Board by the same deadline as specified in the public notice (Sample letter to prescribed bodies is attached).
- The service letter on the planning authority with the necessary copies of the documents should be addressed to the Chief Executive and should also alert the authority to the Board's requirement that the application documentation be made available for public inspection/purchase by the planning authority in accordance with the terms of the public notice (copies of any newspaper/site notices should be provided to the planning authority). It is the Board's intention that all of the application documentation will remain available for public inspection during the currency of the application.
- The depositing of the application documentation and the making of the application to the Board should take place immediately after the publication of the notice and the completion of the service requirements. It should not await the elapsment of the period for the public to make submissions. The application should include a list of the persons served with the application, the date of such service and a sample copy of the notice of service.
- The fee for lodging an application is €100,000. The fee for making a submission in respect of an application is €50 (except for certain prescribed bodies which are exempt from this fee). There is a provision in the Planning and Development (Amendment) Act 2010 enabling the Board to recover its costs for processing any application from the applicant. In addition, it was pointed out that the legislation also enables the Board direct payment of costs or a contribution towards same to the planning authority and third parties.

**The sequencing of the making of the application was summarised as follows:**

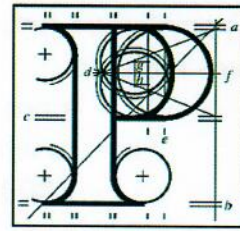
1. Publish newspaper notices.
2. Serve copy of relevant documents on bodies/persons required to be notified of the application. Deposit required number of copies with relevant planning authority.
3. Deposit required number of copies of application documentation with An Bord Pleanála and make an application to it.



### **Guidelines for Electronic Copies of Applications (Standalone Website & CD Copies)**

1. Each document/drawing should be clearly labelled:
  - EIS and NIS chapters saved individually should be named with the number and title of the chapter e.g. Chapter 2: Ecology, Chapter 3: Human Beings etc., and not just the chapter number.
  - Document names cannot begin or end with a dot, cannot contain consecutive dots and cannot contain any of the following characters: ~ " # % & \* : < > ? / \ { | }.
  - Drawings should be saved with the drawing title and/or number, not just the drawing number.
  - Large documents to have 'contents' page e.g. EIS and to be paginated appropriately to allow ease of access to its various sections.
2. Documents/drawings should not be compressed e.g. not Winzipped, and should open directly.
3. Each document/drawing when opened should be clearly legible and any scaling of the drawing clearly and accurately indicated.
4. Each document/drawing when opened should be oriented in the appropriate way (portrait/landscape). It should also be possible to rotate the document/drawing.
5. The documents/drawings should be presented in the same sequence as they appear in the hard copy of the application, in order to make the electronic copy as accessible as possible.
6. All photographs/photomontages shall be in colour, not blurred and clearly legible.
7. All drawings/maps which rely on any colour interpretation e.g. red/blue edging, zoning etc. must be provided in colour.

July, 2015



An  
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## Judicial Review Notice

### Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000, as amended, contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that any application for leave to apply for judicial review must be made within 8 weeks of the date of the decision of the Board, save for decisions made pursuant to a function transferred to the Board under Part XIV of the Planning and Development Act 2000, where any application for leave to apply for judicial review must, as set out in sub-section 50(7), be made within 8 weeks beginning on the date on which notice of the decision of the Board was first sent (or as may be the requirement under the relevant enactment, functions under which are transferred to the Board, was first published). These time periods are subject to any extension which may be allowed by the High Court in accordance with sub-section 50(8).

Section 50A(3) states that leave for judicial review shall not be granted unless the Court is satisfied that (a) there are substantial grounds for contending that the decision is invalid or ought to be quashed and (b) the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the costs of certain judicial review proceedings in the High Court; pursuant to Section 50B(1), Section 50B applies to the following proceedings:

- (a) proceedings in the High Court by way of judicial review, or of seeking leave to apply for judicial review, of—
  - (i) any decision or purported decision made or purportedly made,
  - (ii) any action taken or purportedly taken,



(iii) any failure to take any action, pursuant to a statutory provision that gives effect to

- (I) a provision of the EIA Directive 85/337/EEC as amended to which Article 10a (as inserted by Directive 2003/35/EC) of that Directive applies,
- (II) the SEA Directive 2001/42/EC, or
- (III) a provision of the IPPC Directive 2008/1/EC to which Article 16 of that Directive applies, or
- (IV) Article 6(3) or 6(4) of the Habitats Directive; or

(b) an appeal (including an appeal by way of case stated) to the Supreme Court from a decision of the High Court in a proceeding referred to in paragraph (a);

(c) proceedings in the High Court or the Supreme Court for interim or interlocutory relief in relation to a proceeding referred to in paragraph (a) or (b).

The general provision contained in section 50B(2) is that in proceedings to which the section applies each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant, to the extent that the applicant succeeds in obtaining relief, against a respondent or notice party, or both, to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, [www.citizensinformation.ie](http://www.citizensinformation.ie).

**Disclaimer:** The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.