Inspector's Report

ABP-302725-19

Development	Celtic Interconnector – electrical link enabling movement of electricity between Ireland and France with a converter station and a connection to grid at existing Knockraha substation.
Location	Route from Claycastle Beach to existing substation at Knockraha, Co. Cork
Planning Authority	Cork County Council
Prospective Applicant	EirGrid PLC
Type of Application	SID Pre-application – whether project is or is not strategic infrastructure development.
Date of Pre-Application Meetings	7 March 2019, 29 April 2019, 13 September 2019, 8 September 2020, 3 November 2020, 23 February 2021 & 15 April 2021
Date of Site Inspection	19 March 2020 & 30 April 2021
Inspector	Una Crosse

1.0 Introduction

1.1. This report relates to pre-application discussions held with EirGrid regarding whether or not their proposed electricity interconnector between Knockraha Substation via Ballyadam and Claycastle Beach in County Cork and France constitutes strategic infrastructure, as defined by the Planning and Development Act, 2000 (as amended).

1.2. This report describes the location and nature of the proposed development, the applicant's submission, the consultations held and the legal provisions which are relevant to the proposed development.

1.3. This proposal has been designated as a Project of Common Interest under the provisions of European Union Regulation No. 347/2013 on guidelines for Trans-European Network for Energy (TEN-E Regulations). The Notification Process has commenced.

1.4. An application for a Foreshore Licence is proposed to be submitted for that part of the development within the foreshore.

1.5. The prospective applicant formally requested closure of the pre-application consultation process in a letter received on the 14 May, 2021.

1.6. This report recommends that the proposed development constitutes strategic infrastructure and it sets out reasons and considerations to support this conclusion.

2.0 Site Location and Description

2.1. The proposed subsea cable landfalls from France at Claycastle Beach, south of Youghal town centre in County Cork. It is at the high-water mark at this location that the Board's jurisdiction commences. I will describe the site location as it travels from this landfall location at Claycastle Beach to the point of connection to the Irish National Grid. I would note that the prospective applicant has provided the most up to date locational description of the proposal but has clarified that it is subject to change up to the time of submission of the proposed application. This is considered acceptable.

2.2. The location at Claycastle Beach is at the end of the existing boardwalk and close to the car park which is separated from the beach by a pathway. This area includes a

number of caravan parks and a leisure centre. From the proposed transition joint bay the HVDC cable travels out of the car park onto the R908 going off the public road and onto adjoining lands prior to the bridge over the now disused railway line. This disused railway line is being developed into the Midlteon/Youghal Greenway (23km cycle and walking route along disused railway/track from Youghal to Midleton due for completion c.2023). The route then joins the main road again close to the junction with the R634 where it continues within the public road to the interchange with the N25 where it follows the single carriageway onto same. The route follows the N25 until, south of the village of Killeagh, the route veers southwest across farmland to the south of the existing urban edge crossing under the River Dissour, across a local road and further farmland before joining the N25 again to the south of Killeagh. Continuing along the N25 and before the village of Castlemartyr the route veers north onto farmland prior to veering west and crossing the Mogeely Road and Kiltha River and then joining the N25 again to the northwest of the village centre continuing along the N25.

2.3. To avoid Midtleton town centre and the N25 which is subject to a proposed upgrade, the route then veers north across agricultural land and onto a local road at Churchtown continuing along this route and crossing the proposed Midleton/Youghal Greenway. The route continues north crossing a junction onto local road L7629 where the elevation increases continuing on to cross an irregular junction of the R627 onto the L7617. The route continues on this local road and at another junction turns west continuing along this road to a junction at the East Cork Golf Club. From here the route goes south onto the L3610 and then north onto the R626 for a short length until a junction to the left where it continues past a Golf Club and to the location of the proposed converter station where it veers south from this local road to the east of a large farm complex where is traverses under the existing Midlteon – Cork trainline into the IDA lands.

2.4. The HVAC cable route from the converter station uses the same access point onto the local road to the north of the rail line and then continues along this local road to the west to the next junction passing the stone buildings of the farm complex and contirnung close to the railway bridge but not crossing same. The cable follows the local road north, west and north west crossing a number of junctions until it reaches Knockraha substation in the townland of Ballynanelagh. The existing substation is a

large electrical complex situated within agricultural lands. There is an area of the existing complex available to facilitate the proposed development.

3.0 The Proposed Development

3.1. Project Need

3.1.1. The project has, as outlined above, been designated as a Project of Common Interest under the provisions of European Union Regulation No. 347/2013 on guidelines for Trans-European Network for Energy. The European Union through a decision made on 14 October 2013, recognised the 'France- Ireland Interconnector' as being PCI No. 1.6 for the North Seas Countries Offshore Grid Initiative ('NSCOGI') priority corridor under the TEN-E Regulation. This PCI status for the project known as the Celtic Interconnector Project has been renewed on a bi-annual basis since 2013.

3.1.2. The documentation submitted to the Board outlines the strong support within Europe for additional interconnection with an interconnected European energy grid vital for energy security, and competition in the internal market. The island of Ireland is currently connected to the UK by way of two, two-way interconnectors, the Moyle interconnector in Northern Ireland and the EirGrid East West Interconnector which landfalls in North County Dublin. The proposed Celtic Interconnector seeks to connect the south of the island to the European mainland for the first time at a location in the Finistere region of France.

3.2. The Proposed Development

3.2.1. Overview

The proposed development comprises an electricity interconnector connecting the existing electricity grids in Ireland and France jointly planned by the Transmission System operators (TSO's) in both jurisdictions, EirGrid and Reseau de Transport d'Electricite (RTE). This is the first such direct electrical link between Ireland and France/European mainland. The proposal would enable the import and export of electricity between the two jurisdictions consisting of a proposed 700 MW connection between Knockraha substation in East Cork and a substation at La

Martyre in the Finistere region of France. The interconnector is proposed to comprise both onshore and subsea cables and have a total length of 575km.

Approximately 497km of the route is located within the maritime area across three jurisdictions (Ireland, UK and France) as follows:

Territory	**Distance**
Irish Territorial Waters	34km
Irish Exclusive Economic Zone (EEZ)	117km
UK Exclusive Economic Zone (EEZ)	211km
French Exclusive Economic Zone (EEZ)	87km
French Territorial Waters	48km

3.2.2. **Elements of the Proposed Development within ABP jurisdiction**

As outlined above, the prospective applicant has provided the most up to date description of the proposal but has clarified that it is subject to change up to the time of submission of the proposed application. This is considered acceptable.

The permanent and temporary elements of the proposed development located within the Board's jurisdiction, from the subsea cable landfall location at Claycastle Beach to the point of connection to the Irish National Grid are as follows:

Landfall Location and Subsea Cable (within ABP jurisdiction) at Claycastle Beach in Youghal

Installation of approximately 74m of submarine cable at Claycastle Beach comprising 2 transition joint bay chambers of approximately 60sq.m and temporary installation of steel piled cofferdams and a causeway for access to facilitate construction all within a combined area of approximately 0.3ha.

High Voltage Direct Current (HVDC) Underground Cable

Installation of High Voltage Direct Current (HVDC) underground cables for approximately 32km connecting the landfall point at Claycastle Beach and the converter station compound at Ballyadam, east of Carrigtwohill. The cable laying also requires associated laydown areas, passing bays, joint bays and link boxes and

water, rail and utility crossings using either Horizontal Directional Drilling (HDD) or open cut techniques all within an area of approximately 103ha.

Converter Station & adjoining Substation - *Ballyadam*

An electricity converter station and adjoining ESB substation within two compounds with a combined site area of approximately 3.6ha comprising:

Converter station compound

- Removal of an existing substation building (approx. 72sq.m in area and approx. 4m high) to facilitate the proposed converter station.
- New converter station building (gfa of approx.4,698sq.m and max. height of 25m)
- Control building
- Storage building
- Valve cooler area
- 400kV AIS equipment and transformers
- Harmonic filter compound
- Security hut

ESB substation compound

- Control building, (gfa approx. 336sq.m and max height of 7.2m).
- 400kV AIS equipment (max height of 12.5m).
- Reactive compensation compound

Elements common to both compounds include:

- Lightning protection poles (max. height of 25m).
- Small Interface kiosk.
- 2.6m high property fence and gates and palisade fence/gates..
- Landscaping planting.
- Internal access road of approximately 477m in length and 5m in width.
- Car parking area for up to 18 cars.
- All other associated site development works including surface water and foul drainage required to facilitate the development.

High Voltage Alternating Current (HVAC) Underground Cable

Installation of High Voltage Alternating Current (HVAC) underground cables for approximately 11km in length connecting the proposed converter station compound at Ballyadam to the connection point to the grid (at the existing Knockraha substation), laydown areas, passing bays and joint bays and link boxes and water, rail and utility crossings using either HDD or open cut techniques all within an area of approximately 11ha.

Connection to the Irish National Grid – Existing Knockraha Substation

Connect to the National Grid at an existing bay within the existing Knockraha substation. The new equipment, (combined area of approx. 1.9ha) accommodated within the existing fence line of Knockraha substation comprising:

- 400kV and 220kV Air Insulated Switchgear (AIS) equipment.
- 400/220kV transformer.
- Lightning protection poles (max height of 20m).
- Small relay room

Associated Elements

- Installation of fibre optic, telecommunication and other associated cabling carried in underground ducts.
- Temporary construction compounds on sites up to approximately 1.5ha, including associated site works and associated ancillary staff facilities and parking.
- Temporary construction laydown areas on sites of approximately 0.6ha each, including associated site works and parking.
- Ancillary above and below ground development including works comprising or relating to permanent and temporary construction and roadworks and excavation and vegetation clearance.

4.0 Policy Context

4.1. National Planning Framework

4.1.1. Reference is made at Section 8.4, ‘Co-ordination of Investment in Infrastructure’, to energy and to collaboration in the energy sector, driven by the single electricity market and combined with the development of interconnection such as the East

West Interconnector (EWIC) in Ireland and the Moyle Interconnector in NI which has reduced energy prices, enhanced energy systems resilience and diversified away from a near total reliance on fossil fuels. Reference is made to the need for a new interconnector on the island of Ireland and to the work Ireland is doing with other countries such as France to explore potential for electricity interconnection and the continued support of relationships with European neighbours to enhance our international connectivity.

4.1.2. National Strategic Outcome 8 relates to the transition to a low carbon and climate resilient society which in terms of Green Energy includes reference to a national interconnector (sub-sea ring around Ireland) or other solutions offer the potential to connect Ireland to the EU electricity grid system.

4.2. **National Development Plan 2018-2027**

4.2.1. The National Development Plan 2018 - 2027 (NDP) sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approximately €116 billion. In respect of NSO 8, the transition to a low carbon and climate resilient society, in respect of Commercial & Private Sector Investments reference is made to enhanced electricity interconnection, including the Celtic Interconnector to France and further interconnection to the UK.

4.2.2. It is also stated that EirGrid, who manage, develop and operate the transmission grid, will continue to progress a number of important projects within the All-Island Electricity Market, and will continue to assess opportunities for interconnection with neighbouring electricity markets, for example, the Celtic Interconnector to facilitate the diversification of our electricity supply sources. Increased interconnection would also be expected to put downward pressure on wholesale electricity prices.

4.2.3. The proposed Celtic interconnector is highlighted within the Plan noting that *"It would improve security of electricity supply in Ireland and France by providing a reliable high-capacity link between the two countries; diversifying our sources of supply; increase competition in the all-island Single Electricity Market; and support the development of renewable energy, particularly in Ireland. The proposed 700 megawatts capacity would add to available generation capacity levels and assist in meeting future demand growth. It is also a substantial step forward in the completion*

of the Ireland-France Sustainable Energy Roadmap, which both RTE (French counterpart - Réseau de Transport d'Électricité) *and EirGrid intend to further actively support with all relevant stakeholders and ensure that Ireland benefits from the development of regional markets at EU level*".

4.3. Regional Spatial Economic Strategy for the Southern Region

4.3.1. The RSES for the Southern Region came into effect in January 2020 and includes County Cork. Chapter 8 deals with Water and Energy Utilities with Section 8.2 of the document dealing with the Strategic Energy Grid. The document states that "*the Region is particularly rich in renewable energy resources and contains significant energy generation infrastructure of national and regional importance, including hydro-generation, thermal generation at Moneypoint, Tarbert, Marina, Aghada, Whitegate and Great Island".* It continues by stating that "*even with significant energy demand centres, the Region is currently generating more than demand at present EirGrid's Grid Development Strategy, Your Grid, Your Tomorrow addresses the overall need of the system and will increase transfer capacity from the south and southwest to the Eastern and Midland Region. This signifies the strategic role of the Region's energy assets in national energy generation and transmission*".

4.3.2. It is stated that "*EirGrid and the French transmission system operator (RTÉ) are jointly developing an energy interconnector between France and Ireland at a location in our Region (the Celtic Interconnector project). There are significant benefits, including an increased competition and increased security in supply. It will help facilitate Ireland's transition to a low carbon energy future and host fibre optics, providing a direct telecommunications link between Ireland and continental Europe*".

4.3.3. The following Regional Policy Objectives are noted:

- ***RPO* 219** - New Energy Infrastructure and states that **"***it is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs*".

- ***RPO* 222** - Electricity Infrastructure states that **"***it is an objective to support the development of a safe, secure and reliable supply of electricity and to support and facilitate the development of enhanced electricity networks and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this plan under EirGrid's (2017) Grid Development Strategy (subject to appropriate environmental assessment and the planning process) to serve the existing and future needs of the Region and strengthen all-island energy infrastructure and interconnection capacity*".
- **RPO 223** – International Energy Interconnection Infrastructure – *"It is an objective to support the sustainable development of international energy interconnection infrastructure and support the sustainable development (subject to appropriate environmental assessment and the planning process) of the Celtic Interconnector project between Ireland and France from a location in the Region".*

4.4. Cork County Development Plan 2014

4.4.1. This plan is currently being reviewed. It does not include any specific mention of the proposed development. Chapter 9 of the Plan addresses Energy and the Digital Economy and considers renewable energy at Section 9.2 – 9.6. Section 9.6 deals with the transmission network with CDP Objective 6-1 dealing with the electricity network and includes the following:

- *"Support and facilitate the sustainable development, upgrade and expansion of the electricity transmission grid, storage and distribution network infrastructure.*
- *Support the sustainable development of the grid including strategic energy corridors and distribution networks in the region to international standards".*

CDP Objective ED 6-2 also deals with the transmission network and includes the following:

- *"Proposals for new electricity transmission networks need to consider the feasibility of undergrounding or the use of alternative routes especially in landscape character areas that have been evaluated as being of high landscape sensitivity. This is to ensure that the provision of new transmission networks can be managed in terms of their physical and visual impact on both the natural and built environment and the conservation value of European sites"*.

4.5. **Draft Cork County Development Plan 2022-2028**

4.5.1. This Plan is currently being progressed. Section 13.16 of the Draft Plan addresses the Transmission Network which notes that Cork has a very strong electrical grid and substation network with this network instrumental in supporting the development of the renewable energy industry in the county. Specific reference is made to the Celtic Interconnector is addressed at Sections 13.16.4-6 which outlines the nature and benefits of the proposed development. Development Plan Objective ET13.23 relates specifically to the project and states:

"Support the development of the Celtic Interconnector project linking the electrical transmission networks between Ireland and France as identified as a key project under Project Ireland 2040 for security of electricity supply, enhanced competition and direct access to the EU Internal Energy Market".

4.6. **European Sites**

4.6.1. The proposed development is not located within, adjoining or in close proximity of any European site. There are a number of sites located within c.1.5km of the application boundary to the north and south of the landfall location at Claycastle Beach, namely Blackwater River (Cork/Waterford) SAC (site code 002170) and Ballymacoda Bay SPA (site code 004023). There are two sites to the south of Midleton which are in excess of 2km from the subject development at their nearest location namely Great Island Channel SAC (site code 001058) and Cork Harbour SPA (site code 004030).

5.0 **Planning History**

Given the nature of the proposed development and the location of the cable within the public road there are a large number of applications for one-off houses particularly on the local roads within the rural area. I propose to examine the planning history of the landfall location, the converter station site and Knockraha substation and provide an overview of the any relevant decisions.

5.1. Landfall at Claycastle Beach

No applications of note.

5.2. Converter Station site at Ballyadam

Ref. 06/8898 – Permission granted November 2006 for site development works to facilitate the future construction of biotechnology manufacturing facility to include temporary construction access with associated widening of road, signalised junction at intersection off N25 and Hedgy Boreen with associated road works, 20kV substation in a compound with switchgear building and 2 no. transformer pads, gas compound/above ground installation with associated control buildings, earthworks to include cut and fill operations to prepare the site for construction of future buildings, attenuation/retention pond, demolition of 2 dwellinghouses, internal access roads, provision for 600 no. surface level car parking spaces, gravelled areas for future buildings, retaining wall and lighting standards, underground services and associated manholes, site boundary treatments to include security fencing and landscaping and all associated and ancillary site development works.

Ref. 06/8669 - permission granted August 2006 for the erection of 2 steel masts to facilitate the retirement of portion of overhead line.

Ref. 06/10555 – permission granted November 2006 for construction of enclosed 110kV indoor substation and boundary fence

5.3. Knockraha Substation

There is a substantial planning history associated with the infrastructure on this substation. The following is of note:

Ref. 13/6402 (PL04.244030) – Permission granted on appeal for the extension of the existing 220 kV substation busbar in an easterly direction by approximately 109m including the installation of two 220 kV wing couplers, 2 sectionalising circuit breaker bays with associated equipment, six 24m lightning masts and 2 new line bays with associated equipment; The proposed extension of the existing busbar will occur on lands of approximately 1.14ha within the associated proposed easterly extension of the existing substation lands, with the associated extension of the existing substation perimeter fenceline by approximately 72m to the east; Associated construction of 5

lattice steel towers adjacent to the northern side of the substation (as extended) which are up to approximately 46m above ground level, with associated conductors; Associated removal of 3 existing lattice steel towers adjacent to the northern side of the existing substation with associated conductors; Associated reconfiguration of the overhead line entries from the north and north east into the existing substation to facilitate the works within the substation; Associated removal of the westernmost existing transformer within the substation, and other associated equipment including 1 gantry, 6 sets of redundant overhanging conductors including 2 associated gantries and 1 220 kV coupler bay with its associated equipment; Associated construction of new internal access road, boundary treatment and site development works.

Ref. 08/7931 (PL04.231154) – Permission granted on appeal for alterations to existing 220kv station to include installation of one 220Kv to 110Kv transformer, associated bund wall and noise attenuation barriers, 4 no. gantry structures, surge arrestors, current transformers, voltage transformers, circuit breakers, disconnects pantographs, 2 control cabins and associated site works.

Ref. 08/7401 - Permission granted for alterations to existing station comprising of new noise barriers to existing transformers T2101 and T2102 and associated site works.

Ref. 04/699 – Permission granted for a 36 metre high, free standing communications structure, carrying antenna and communication dishes with associated ground mounted equipment cabinets.

Ref. 03/397 – Permission granted for the installation of a waste treatment system in the existing sub-station site.

Ref. 01/2926 (PL04.126105) – Permission granted on appeal for refurbishment of 220kv station to include replacement of control building, high voltage equipment, additional bay kiosks and cabling ducting.

5.4. Midleton/Youghal Greenway – Part 8

This greenway is located along the disused railway line from Youghal to Midleton and is c.23km in length. It was approved in January 2019 under Part 8 and is scheduled to be complete c.2023.

6.0 Relevant Cases

6.1. PL17.VA0002 - East West HVDC Interconnector between Ireland & Great Britain

6.1.1. The only existing underground subsea electricity interconnector which has been approved in the jurisdiction of the Republic of Ireland is the East West Interconnector developed by EirGrid. This was granted permission by the Board on 14 September 2009 and provided for a subsea cable from North Wales coming ashore at Rush North Beach with an underground cable in the public road to the site of the converter station adjacent to the Woodlands 400kV substation in County Meath. The development is operational.

6.2. PL02.VA0017 – North South 400kV Electricity Interconnector

6.2.1. Permission was granted in December 2016 for an overground electricity interconnector (approx. 138 long including 34km in NI) to link the existing electricity transmission networks of Northern Ireland, at Turleenan in County Tyrone and the Republic of Ireland, at Woodlands in County Meath.

6.3. ABP-308906-20 – Greenlink Interconnector between Ireland and Wales

6.3.1. There is currently an application with the Board for the development of an electricity interconnector comprising of subsea and underground high voltage electricity cables and associated converter stations to connect Great Island 220kV substation in County Wexford and National Grid's Pembroke transmission substation in Pembrokeshire (Wales). No decision has been made at the time of writing.

7.0 The Applicant’s Submission

7.1. The request to enter pre-application consultations with the Board was received on 9 October 2018 and was accompanied by correspondence setting out the rationale for the proposed development and consultations undertaken to date (Project Updates for 2017 & 2018). As will be outlined in Section 8 below, the project was refined during the course of the pre-application process. The initial submission is summarised as follows:

- Proposal to provide first direct electrical link between Ireland and France from south coast of Ireland to northwest coast of France.
- EirGrid has an obligation under its TSO licence to explore and develop opportunities for interconnection of the Irish power system with other systems (previously fulfilled with East-West Interconnector).
- Interconnection offers multiple benefits to electricity consumers by:
    - Facilitating increased electricity trading resulting in downward pressure on cost of electricity.
    - Enhancing security of supply with additional supply power and diversification.
    - Reducing emissions by facilitating development of renewable energy sources.
- European Commission sees increased interconnection as key step towards achieving more integrated electricity system with Celtic Interconnector important move towards achieving such integration.
- Project designated as a PCI in 2013 retaining designation in following reviews with proposal also designated as an 'Electrical Highway' under the EU supported e-Highway 2050 projects – which identifies project as part of developments on EU grid needed to meet EU's 2050 low carbon economy goals with project one of the few to be both with CEF funding previously received with further funding to be applied for remaining phases.
- Description of elements of the proposal outlined (see section 3 above) with possible grid connection points, marine routes, onshore routes being investigated (at that time) outlined.
- Technical and environmental studies have been ongoing since 2013.
- Project implementation roadmap (6-Step Framework) provided and details of feasibility phase provided.
- While not directly applicable to Section 182 projects, the criteria in Section 37A(2) are outlined with the proposal considered to:

- be of strategic economic or social importance as the proposal will play a vital role in connecting Ireland to the transmission system in the European mainland with significant economic and social benefits to the State.
- proposal contributes to objectives in NPF and RSES – as proposal would assist in fulfilment of objectives in both.
- Significant effect on area of more than one planning authority – while landfalling in Cork within Ireland it would be affect the relevant planning authority in France.

- Further correspondence was received (dated 15 February 2019) from the prospective applicant prior to the first pre-application consultation meeting which added further detail to the information provided in the initial statement in respect of the element of the proposed development. The 6-Step Framework adopted by EirGrid was referenced noting that at the time (February 2019) the project was in the final stages of Step 3 which is the refinement stage of the process. It was also stated that EirGrid has significant expertise and knowledge in developing and delivering electricity interconnectors with the delivery of the East-West Interconnector and is applying same to the Celtic project within key areas such as technical, economic, project development, planning and environmental matters and construction milestones. The milestones and timelines for the proposal were provided as was a map setting out the emerging preferred option for the proposal.

8.0 **Consultations**

8.1. Seven pre-application meetings were held with the prospective applicant (7 March 2019, 29 April 2019, 13 September 2019, 8 September 2020, 3 November 2020, 23 February 2021 & 15 April 2021). Minutes are attached to the file. A series of presentations, made to the Board's representatives at the meetings, are also attached to the file. The principal matters arising related to:

- Need for the proposal in context of European and Irish energy policy.
- Emerging best performing options for the landfall location, proposed route of cable, location of converter station and refinement of the project.

- The project roadmap (6-Step framework) including ongoing updates on the consultation being undertaken.
- Grant application through Connecting Europe Facility (CEF) for funding to support proposed interconnection.
- Updates on other consents in other jurisdictions including Foreshore.
- Consideration of the Board's jurisdiction and memo from Board in respect of jurisdiction to HWM.
- Proposal to submit an EIAR and legal advice supporting same.
- Screening for Appropriate Assessment and proposal to submit NIS.
- Location of proposed converter station and preferred option which emerged at Ballyadam.
- Planning and environmental matters specific to proposed Converter Station at Ballyadam.
- Routing of cable around Midleton and potential to continue the route along the N25, consultation with TII on N25 upgrade and technical statement presented in respect of same.
- Routing of cable around settlements of Killeagh and Castlemartyr.
- Extent of works proposed to the existing Knockraha substation.
- Scope of application documentation proposed within a series of volumes and submission of information relating to other jurisdictions for the Board's information.
- Consideration of transboundary effects.

9.0 Legislative Context

9.1. Strategic Infrastructure Development

9.1.1. Section 182A(1) of the Planning and Development Act, 2000 (as amended) requires, where a person (referred to as the 'undertaker') intends to carryout development

comprising or for the purposes of electricity transmission, the undertaker shall prepare an application for approval of the development to the Board.

9.1.2. Section 182A(9) of the Act states that the term 'transmission' shall be construed in accordance with section 2(1) of the Electricity Regulation Act 1999, and for the purposes of section 182A, shall also be construed as meaning the transport of electricity by means of a high voltage line (equal to or greater than 110 kilovolts) or an interconnector (whether ownership of the interconnector will be vested in the undertaker or not).

9.1.3. Section 2(1) of the Electricity Regulation Act, 1999 defines transmission as '…*the transport of electricity by means of a transmission system, … a system which consists, wholly or mainly, of high voltage lines and electric plant and which is used for conveying of electricity from a generating station to a sub-station, 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, …specify as being part of the distribution system …'*

9.1.4. Electric plant is defined as '*any plant, apparatus or appliance used for, or for purposes connected with, the generation, transmission, distribution or supply of electricity, other than by (a) an electric line, (b) a meter…, or (c) an electrical appliance.'*

9.2. Environmental Impact Assessment

9.2.1. Section 182A(2) of the Planning and Development Act, 2000 (as amended) requires that in respect of development referred to in section 182A(1), which belongs to a class of development for the purposes of section 176 (prescribed classes of development requiring environmental impact assessment), the undertaker shall prepare an environmental impact statement or Natura Impact Statement in respect of the proposed development.

9.2.2. Schedule 5 of the Planning and Development Regulations, 2001 (as amended) transposes Annex I and II of the EIA Directive and sets out prescribed classes of development, for which an environmental impact assessment is required. The following classes are noted:

- Part 1(20) of the Schedule refers to 'Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres'.

- Part 2(3)(b) refers to 'Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more'.

10.0 Assessment

10.1. Strategic Infrastructure

10.1.1. The proposed development will comprise an electricity interconnector from France which connects into the National Grid at the existing Knockraha Substation. It comprises an underground HVAC cable from the existing substation to a proposed converter station to be located at Ballyadam, Co. Cork and an underground electricity HVDC cable from the converter station to a location at Claycastle Beach, which is the landfall location, from where the cable will continue as a subsea cable which will cross the Celtic Sea to the converter station proposed in the north of France.

10.1.2. Accordingly, the development of an 'interconnector' falls within the definition of transmission set out in Section 182(A)(9) of the Planning and Development Act, 2000 (as amended) and, therefore comprises strategic infrastructure development under Section 182A(1) of the Planning and Development Act, 2000 (as amended).

10.2. Environmental Impact Assessment

10.2.1. The Proposed Development does not constitute a "project" within either Annex I or Annex II to Directive 2011/92/EU as amended by 2014/52/EU or within either Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended.

10.2.2. Section 182A (2) of the Planning and Development Act, 2000 as amended states that "*in the case of development referred to in subsection (1) which belongs to a class of development identified for the purposes of section 176, the undertaker shall prepare, or cause to be prepared, an environmental impact assessment report or*

Natura impact statement or both that report and that statement, as the case may be, in respect of the development". (Section 176 sets out the prescribed classes of development requiring assessment and Regulations regarding same).

10.2.3. The prospective applicant has indicated their intention to include an EIAR with the application and it is proposed that an EIAR accompany the Foreshore licence application. It should also be noted that an 'interconnector' is a project for the purposes of EIA in France and an EIAR (or French equivalent) has been submitted to the relevant consent authority for the development within the French jurisdiction.

10.2.4. I would refer the Board to Article 102 of the Planning and Development Regulations 2001, as amended which states that "*where a planning application for sub-threshold development is accompanied by an EIAR, the application shall be dealt with as if the EIAR had been submitted in accordance with section 172(1) of the Act*". While this Article refers to sub-threshold development thereby implying that the project is a 'class', it is considered that it can also be applied to projects where it is considered that the project is not a class. In this regard, given the prospective applicants proposal to submit an EIAR, it is recommended that Article 102 should be applied.

10.2.5. As it is proposed to submit an EIAR, the prospective applicant is referred to the European Commission document *Guidance on the Application of the Environmental Impact Assessment Procedure for Large Scale Trans-boundary Projects* (2013). This Guidance requires that the entirety of environmental effects of the Interconnector project is assessed and dealt with in the application documentation and requires the production of a Joint Environmental Report (see section 5 of the aforementioned Guidance).

10.3. Appropriate Assessment

10.3.1. As I outlined in Section 4.5 above, the proposed development is not located within, adjoining or in close proximity of any European site. There are a number of sites located within c.1.5km of the application boundary to the north and south of the landfall location at Claycastle Beach, namely Blackwater River (Cork/Waterford) SAC (site code 002170) and Ballymacoda Bay SPA (site code 004023). There are two sites to the south of Midleton which are in excess of 2km from the subject development at their nearest location namely Great Island Channel SAC (site code

001058) and Cork Harbour SPA (site code 004030). The prospective applicant have stated that it is their intention to submit a Natura Impact Statement with the proposal. This is considered acceptable.

10.4. Transboundary Environmental Effects

10.4.1. Article 210 (3)(a) of the Planning and Development Regulations 2001, as amended states that '*where the Board is of the opinion that the proposed development would be likely to have significant effects on the environment in a transboundary State, it shall indicate to the prospective applicant:*

(i) which bodies, in which States, should be notified for the purposes of Section 37E(3)(d), 181A(3)(c), 182A(4)(c) or 182B(4)(b)(iv), as appropriate, and

(ii) how many copies of the application and EIAR should be sent with the notification referred to in (i)'.

10.4.2. The prospective applicant suggested at the final pre-application consultation meeting that they would submit a Transboundary Impacts Screening Report to outline their rationale in respect of this matter. This document was received by the Board on 5th May 2021. The report notes that EirGrid has had regard to the provisions of the Espoo Convention (which have been implemented into EU law by way, inter alia, of Article 7 of the EIA Directive). Article 7(4) of the EIA Directive states:

"*The Member States concerned shall enter into consultations regarding, inter alia, the potential transboundary effects of the project and the measures envisaged to reduce or eliminate such effects and shall agree on a reasonable time-frame for the duration of the consultation period*".

10.4.3. The prospective applicant states that this requires the Competent Authority to conduct a transboundary consultation process, if there is the potential for a transboundary effect, be that positive or negative. They state that the requirement for undertaking the transboundary consultation process must be confirmed in advance of submitting any application for consent which requires the Board to have formed an opinion in this regard in respect of the proposed development during the SID pre-application consultation process, as prescribed under Section 182E of the Planning and Development Act 2000 (as amended) with the Transboundary Screening Report prepared to assist the Board in reaching its opinion. The report outlines that

legislative context including Article 5 of the Espoo Convention, Article 7 of the EIA Directive and Article 210(3)(a) of the Planning and Development Regulations 2001, as amended.

10.4.4. The report outlines that EirGrid are currently in the process of preparing an EIAR to accompany an application for statutory approval for the part of the development within the Board's jurisdiction which will include an appraisal of the impact of the proposal in a transboundary State – the UK and France. The report outlines the proposed development and its key functions which are stated to include the following: facilitate an increase in the use of renewable energy; provide security of supply; improve European solidarity on energy; promote the movement of electricity flows at a European Level; and support the development of a more sustainable electricity mix in France and in Ireland.

10.4.5. Section 4 of the report provides an assessment of potential transboundary impacts associated with the project. Each environmental factor included in the EIA Directive is addressed. It is concluded that there is the potential for positive transboundary impacts on two factors as follows:

Air Quality and Climate - *Positive transboundary impact in France on air quality and climate change associated with providing a high-capacity electricity transmission line between Ireland and France. This will arise from the proposed development allowing more renewable energy to be generated in Ireland and connected to the transmission network in France.*

Material Assets - *Positive transboundary impact on material assets associated with providing a high-capacity electricity transmission line between Ireland and France. This will facilitate an increase in the use of renewable energy in Ireland and France and support the development of a more sustainable electricity mix on the transmission networks in Ireland and in France.*

10.4.6. While I consider that the positive transboundary impacts identified are reasonable and rationale, the 'test' in this instance is whether the development would be likely to have significant effects on the environment. While the proposal may have positive effects on the environmental factors identified I do not concur that it could be reasonably considered that these would be significant particularly in the absence of quantitative details to support this contention. I would also note that as referenced by

the prospective applicant, Article 7(4) of the EIA Directive refers to "*the potential transboundary effects of the project and the measures envisaged to reduce or eliminate such effects"* (my emphasis). To my mind this suggests that the significant effects on the environment envisaged and referenced in Article 210 (3)(a) of the Planning and Development Regulations 2001, as amended, are negative and quantifiable rather than the more strategic positive impacts envisaged in the present case.

10.4.7. Therefore, having regard to the potential environmental effects arising from the proposed development as outlined during the pre-application consultation process and in the transboundary impacts screening report submitted by the prospective applicant, it is my opinion that the development proposed within the Irish State would not be likely to have significant effects on the environment in a transboundary State, that being in this case, the United Kingdom and/or France.

10.4.8. In conclusion, I do not consider that it is necessary for the Board to require the applicant to comply with the requirements of Article 210(3)(a) of the Planning and Development Regulations 2001, as amended. However, I would note that there is provision within Article 124(1)(b)(ii) of the Planning and Development Regulations 2001, as amended for the prospective applicant to initiate the process themselves if they so wish.

10.5. Jurisdiction of the Board in relation to the Foreshore

10.5.1. As outlined above, the matter of the Boards jurisdiction in the foreshore was the subject of discussion during the pre-application process. The Board had previously determined in their consideration of the East-West Interconnector that their jurisdiction extended to the 12 Nautical Mile Limit. A Direction from the Board was sought on the matter.

By way of memo dated 21 May 2020, the Board provided a view on the matter as follows:

1. That the provisions of section 225 of the Planning and Development Act 2000, as amended, apply to applications for approval under section 182A of the Act so that the proposed development of an electricity interconnector in the foreshore (as

defined by the Foreshore Acts 1933 as amended) fall within the jurisdiction of the Board.

2. In respect of any application or appeal that may come before it, the Board will consider that part of the development that falls within the High Water Mark and all on-shore elements, and will not be assessing that part of the development that is subject of a foreshore licence (i.e. up to the 12 Nautical Mile Limit).

10.6. Prescribed Bodies

10.6.1. The prospective applicant was invited at the final pre-application consultation meeting to submit a list of proposed prescribed bodies which in their opinion should be included. A document received by the Board on 5th May 2021 from the prospective applicant includes a comprehensive list which they refer to as a proposed preliminary list of prescribed bodies. I have reviewed this document which I consider is comprehensive. I note it includes a number of bodies whose remit would not reach this area such as Waterways Ireland and I would also note that the Railway Procurement Agency was dissolved in 2015, becoming part of TII and therefore it is not necessary to consult with same. Furthermore, the proposed development does not appear to come within the relevant proximity of installations relevant for the Health and Safety Authority. Finally, the Office of Public Works are not a prescribed body as set out in Article 213 of the Planning and Development Regulations 2001, as amended.

10.6.2. I have reviewed the list and have included those which I consider relevant in the Appendix below.

10.6.3. In view of the scale, nature and location of the proposed development, as described in this report and in light of the list received from the prospective applicant, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix in respect of any future application for approval.

11.0 Conclusion

11.1. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant under section 182E of the Planning and Development Act,

2000, as amended, stating that it is of the opinion that the proposed development constitutes strategic infrastructure development.

12.0 **Recommendation**

12.1. Having regard to the provisions of the Planning and Development Act, 2000, as amended, and the nature of the development as set out in the plans and particulars submitted, which comprises an electricity interconnector enabling movement of electricity between Ireland and France with a converter station at Ballyadam and a connection to grid at the existing Knockraha substation in County Cork, it is considered that the proposed development falls within the scope of Section 182A of the Planning and Development Act, 2000 (as amended). Accordingly, the proposed development would be strategic infrastructure within the meaning of the Act and any application for approval must therefore be made directly to the Board and shall be accompanied by the proposed Natura Impact Statement and Environmental Impact Assessment Report.

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Una Crosse
Senior Planning Inspector

May 2021

Appendix - Prescribed Bodies

Minister for Housing, Local Government and Heritage

Minister for Environment, Climate and Communications

Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media

Minister for Agriculture, Food and the Marine

Minister for Transport

Transport Infrastructure Ireland

Environmental Protection Agency

Irish Water

Commission for Regulation of Utilities

Fáilte Ireland

An Taisce

The Heritage Council

An Chomhairle Ealaion

Inland Fisheries Ireland

Coras Iompair Eireann

Commission for Railway Regulation

Railway Safety Commission

Irish Aviation Authority

Health and Safety Executive

The Southern Regional Assembly

Cork County Council