



An
Bord
Pleanála

Inspector's Report ABP-309913-21

Development

'North Connacht Project', comprising a new 110 kV transmission circuit, comprising an underground cable (UGC) (approx. 60 km) between two existing stations - Moy 110 kV Substation in the townland of Gorteen (Barony of Tirawley), County Mayo and Tonroe 110 kV Substation in the townland of Ballyoughter, County Roscommon.

Location

Townland of Gorteen (Barony of Tirawley), County Mayo and the townland of Ballyoughter, County Roscommon

Planning Authority

Mayo County Council & Roscommon County Council

Prospective Applicant

EirGrid PLC

Type of Application

SID Pre-application – whether project is or is not strategic infrastructure development.

Date of Site Inspection

22 April 2022

Inspector

Una Crosse

1.0 Introduction

- 1.1. This report relates to pre-application discussions held with EirGrid Plc regarding whether or not their proposed new 110kV transmission circuit comprising a c.60km underground cable between Moy 110kV substation in Co Mayo and Tonroe 110kV substation in Co Roscommon 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. It should be noted that the pre-application consultation request originally included the proposed uprate of the existing 110kV overhead line from Tonroe substation to Flagford substation (Carrick-on-Shannon) however, this has been excluded from the proposed development. The proposed development now relates solely to the new underground cable between the Moy and Tonroe 110kV substations and works to the substations as set out in Section 3 of this report below.
- 1.4. The prospective applicant formally requested closure of the pre-application consultation process in a letter received on the 5 April, 2022.
- 1.5. 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. Commencing at its most northerly location, the proposal includes the existing Moy 110kV substation which is located to the northwest of Ballina town centre accessed from local road L1109 which runs north of the N59 at the Gurteens roundabout. The existing substation is located on open lands set back from the public road. The cable route travels along the L1109 where it heads south through the roundabout and along the N59 for a short distance from where it moves onto an unnamed local road to a junction with The Commons road where it moves in a south-westerly direction to a staggered 4 arm junction before taking a north-easterly direction onto the L1122 (Commons) under the railway line up to the N26 turning south onto the N26 for a short distance.

- 2.2. The route then leaves the public road, traversing lands to the south of Hollister ULC in an easterly direction crossing the river Moy and crossing agricultural lands to the east of the river before joining Church Road. The route follows this public road crossing the Bunnafinglas River south of Carrowkeribly Lough and continuing on the public road crossing the Yellow River southwest of Larganmore. The route continues in a south-easterly direction along the public road until it reaches the junction with the N26 from where it continues in a southeasterly direction along this route crossing the River Moy southwest of the N26 before joining same again and continuing into Swinford. There are two proposed routes to avoid the main throughfare in the town centre, these are Circular Road to the west and Brookville Avenue to the east.
- 2.3. The route then continues east from Swinford on the N5 crossing the Mullaghanoe River south of Charlestown and west of the N17 continuing along the N5 before moving onto a local road northwest of Tonroe Bridge and traversing agricultural lands for a short distance before entering the Tonore 110kV substation which is located to the north of the R293 and the northeast of Ballaghaderreen town centre.

3.0 The Proposed Development

Project Need

The need for the proposed development was outlined within the presentations provided to the Board's representatives at the pre-application meetings and can be outlined as follows:

- To facilitate the Government's Climate Action Plan 2019 which has set the target of achieving 70% of electricity consumed from renewable sources by 2030 (currently 30%).
- Large amount of electricity generated by wind farms in the North Connacht region with more planned but the level of renewable generation is far greater than the capacity of the local electricity network.
- Need to examine ways of improving electricity infrastructure within the region.
- EirGrid legally obliged to connect those who generate electricity meaning that the grid must be developed in response to plans for new electricity generation.

The Proposed Development

The proposed development as it is now proposed comprises the following elements:

- Laying of a 3 phase 110 kV UGC for approximately 60 km between the existing Moy 110 kV and Tonroe 110 kV Substations;
- The upgrading of both the existing Moy 110 kV and Tonroe 110 kV Substations to provide for additional electrical equipment and apparatus similar to that existing within the substations in order to connect the cables into the grid. It is stated that this may require the extension of the substation compounds to facilitate additional equipment and apparatus;
- All associated and ancillary development, including temporary construction compounds, temporary construction tracks, site development, landscaping works, fencing and vegetation removal.

4.0 Policy Context

4.1. National Planning Framework 2040

4.1.1. The National Planning Framework (NPF) is the overarching national planning policy document for Ireland. The NPF is a high-level strategic plan that sets out a vision for Ireland to 2040, expressed through ten National Strategic Outcomes (NSOs). NSO 8 is “the transition to a low carbon and climate resilient society”. The NPF acknowledges that Ireland’s energy policy is focused on the pillars of sustainability, security of supply and competitiveness. It is an action of the NPF under NSO 8 to “reinforce the distribution and transmission network to facilitate planned growth and distribution of a more renewables focused source of energy across the major demand centres”.

4.1.2. National Policy Objective 55 states: “Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”

4.2. Climate Action Plan 2021

4.2.1. The plan stresses the importance of decarbonising electricity consumed, by harnessing the significant renewable energy resources. Ensuring the building of renewable rather than fossil fuel generation capacity to help meet the projected

growth in electricity demand is essential. Ensuring increased levels of renewable generation will require very substantial new infrastructure, including wind and solar farms, grid reinforcement, storage developments, and interconnection.

- 4.2.2. To meet the required level of emissions reduction, by 2030 it is required to increase electricity generated from renewable sources to 70%.

4.3. **Regional Spatial Economic Strategy for the Northern and Western Region**

- 4.3.1. The RSES for the Northern and Western Region addresses the electrical grid network at Section 8.2. The document states that *“the Region is particularly rich in renewable energy resources”* and outlines that *“developing the grid will enable the transmission system to safely accommodate more diverse power flows from surplus regional generation and also to facilitate future growth in electricity demand. These developments will strengthen the network for all electricity users, and in doing so will improve the security and quality of supply. This is particularly important if the region is to attract high technology industries that depend on a reliable, high-quality, electricity supply.”*
- 4.3.2. Table 11 outlines projects within the Northern and Western Region with the North Connacht Project outlined.
- 4.3.3. The following Regional Policy Objectives are noted:
- **RPO 8.1** - *“The Assembly support the development of a safe, secure and reliable electricity network and the transition towards a low carbon economy centred on energy efficiency and the growth projects outlined and described in this strategy”.*
 - **RPO 8.2** - *“Support the reinforcement and strengthening of the electricity transmission network with particular reference to the regionally important projects contained within Table 11”.*
 - **RPO 8.4** - *“That reinforcements and new electricity transmission infrastructure are put in place and their provision is supported, 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. Ensure that development minimises impacts on designated areas”.*

4.4. European Sites

The site is located within, adjacent to or within close proximity of the following European Site:

- River Moy SAC – Site Code 002298

5.0 Precedent Cases

- 5.1. The applicant references a number of decided pre-application consultation cases in their submission which they consider are of relevance and I outline below a number of the more recent cases as follows:

ABP Ref	Planning Authority	Development	ABP Determination
308655	South Dublin	Construction of 2 grid connections from the permitted 110kV GIS substation compound and new grid connection works to connect to the Grange Castle 110kV substation.	Is SID
308439	South Dublin	110kV GIS substation and two underground 110kV transmission lines from the proposed 110kV GIS substation to the existing Castlebaggot substation.	Is SID
308120	Offaly	Proposed 110kV substation and underground grid connection.	Is SID

6.0 The Applicant's Submission

- 6.1. In their first submission and in presentations to the Board the prospective applicant has outlined the need for the proposed development and the rationale for and process by which the final route of the cable was refined and determined including the proposal to provide two route options within Swinford town centre. They also detail the construction methodologies proposed for cable laying and HDD. The proposal to omit the uprating of the overhead line from Tonroe to Flagford is also detailed as are the considerations in respect of EIA and AA.

7.0 Consultations

7.1. Three pre-application meetings were held with the prospective applicant (1 June 2021, 19 October 2021 & 30 March 2022). A record of each meeting is attached to the file. Presentations made to the Board's representatives at the meetings are also attached to the file. The principal matters arising related to:

- Need for proposed development
- Public consultation undertaken to date
- Relevant precedents
- Technology proposed to traverse the SAC.
- Route options within Swinford town centre
- Requirement for EIAR/EIA Screening report
- Requirement for AA and need for robust NIS

8.0 Legislative Context

8.1. Strategic Infrastructure Development

- 8.1.1. 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.
- 8.1.2. 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).
- 8.1.3. 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 ...'

- 8.1.4. 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..'*

8.2. Environmental Impact Assessment

- 8.2.1. 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.
- 8.2.2. 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. 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*'.

9.0 Assessment

9.1. Strategic Infrastructure

- 9.1.1. The proposed development proposes the laying of a 110kV underground cable for the purposes of transmitting electricity between two existing substations and works to upgrade the substations. As outlined above, Section 182A(9) of the Act states that the term 'transmission' shall be construed as meaning the transport of electricity

by means of a high voltage line equal to or greater than 110 kilovolts. The new underground cable is proposed as a 110kV UGC and therefore comprises transmission as, as per Section 2(1) of the Electricity Regulation Act, 1999 it proposes *the “transport of electricity by means of a transmission system,.....from one substation to another”*. Given the proposed development comprises new transmission infrastructure facilitating the transmission of electricity from one existing substation to another then it is clear that the proposal comprises transmission as set out.

- 9.1.2. Accordingly, the development proposed 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).

9.2. Environmental Impact Assessment

- 9.2.1. 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”*. The classes of development relevant to electricity development are set out in Section 8.2 above.
- 9.2.2. The proposed development of 110 kV underground cables and the upgrade works to the two existing substations would not come within the projects outlined within either Annex I or Annex II to Directive 2011/92/EU as amended by 2014/52/EU nor is the proposal a class as set out in either Part 1 or Part 2 of Schedule 5 (Planning and Development Regulations 2001, as amended) and therefore a mandatory EIAR is not required. They are not overhead lines nor are they 220kV lines and therefore they are not a class of development.
- 9.2.3. The prospective applicant has indicated during the pre-application process that they do not consider that an EIAR is required and propose to present an EIA Screening report with the application.

9.3. Appropriate Assessment

- 9.3.1. The proposed development adjoins and proposes to traverse European site, River Moy SAC – side code 002298. There are a number of other Natura 2000 sites within the wider area. The applicant has indicated that it is their intention to include an NIS with the application which is considered to be appropriate.

9.4. Prescribed Bodies

- 9.4.1. In view of the scale, nature and location of the proposed development, as described in this report, 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.

10.0 Conclusion

- 10.1. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant under section 182A of the Planning and Development Act, 2000, as amended, stating that it is of the opinion that the proposed development constitutes strategic infrastructure development.

11.0 Recommendation

- 11.1. 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 the construction of a new 110kV underground cable from Moy 110kV substation to Tonroe 110kV substation with upgrades within both substations, 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 should be accompanied by a Natura Impact Statement which it is proposed to submit with the planning application.

Una Crosse

Senior Planning Inspector

29 April 2022

Appendix

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 182A(4)(b) of the Principal Act.

Prescribed Bodies

Minister for the Housing, Local Government and Heritage

Minister for Environment, Climate Action and Communications

Minister for Agriculture, Food and the Marine

Northern and Western Regional Assembly

Mayo County Council

Roscommon County Council

Transport Infrastructure Ireland

Irish Water

Commission for Regulation of Utilities

Fáilte Ireland

An Taisce

The Heritage Council

An Chomhairle Ealaíon

Inland Fisheries Ireland

Coras Iompair Éireann

Commission for Railway Regulation

Railway Safety Commission