



An
Bord
Pleanála

Inspector's Report ABP-314127-22

Development	Development of 110kV underground grid connection.
Location	Carrownagowan wind farm to Ardnacrusha hydro power station, County Clare.
Planning Authority	Clare County Council
Prospective Applicant	FutureEnergy Ireland Development DAC (FEID)
Inspector	Karla Mc Bride
Date of site inspection:	3 rd September 2022

1.0 Introduction

- 1.1. FutureEnergy Ireland Development DAC requested Pre-Application Consultations under Section 37B of the Planning and Development Act, 2000, as amended, for the proposed development of a 110kV underground grid connection from the permitted Carrownagowan windfarm to the Ardnacrusha hydro power station in County Clare. Pre-Application Consultations took place between An Bord Pleanála (the Board) and the prospective applicant on 20th October 2022 (see appended signed Record).
- 1.2. The primary purpose of the meeting was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006, and to consider matters relating to the proper planning and sustainable development of the area or the environment which may have a bearing on the Board's decision, and procedures involved in making the application.
- 1.3. This Report provides an overview of the project, a summary of the meeting and the advice provided by the Board, the legislative provisions, and it recommends a list of Prescribed Bodies that should be forwarded copies of the application.

2.0 Site Location

- 2.1. The linear site is located within a rural area in East County Clare that extends N to S from the site of the recently permitted Carrownagowan windfarm (N of Kilbane Village) to the existing Ardnacrusha hydro power station along the River Shannon. The site mainly runs along the local road network. There are several dwelling houses and agricultural buildings in the surrounding area and along the c.25km route. The surrounding lands comprise a mix of upland bog and commercial forestry at Carrownagowan (N), agricultural lands and small settlements, and a suburban neighbourhood at Ardnacrusha Village (S). The upland Carrownagowan windfarm site is located close to the Slieve Bernagh Bog SAC. The grid connection route is not covered by any sensitive ecological or landscape designations. There are features of archaeological and cultural heritage interest in the vicinity, including a section of the East Clare Way.

3.0 Proposed development

The proposed development would comprise a new c.25m long 110kV underground grid connection primarily along the local road network from the permitted Carrownagowan windfarm to a connection point within the existing Ardnacrusha hydro power station. The prospective applicant indicated that the proposed grid connection would facilitate the permitted windfarm ABP-308799-20 to connect to the national grid.

4.0 Prospective applicants' case

4.1. FutureEnergy Ireland Development DAC is proposing connect the permitted Carrownagowan windfarm 110kV substation to the national grid at a connection point within the existing Ardnacrusha hydro power station via an underground cable and "tail fed" arrangement. The proposed grid connection would be used for the purposes of electricity transmission. The windfarm and substation were recently granted planning permission by the Bord under ABP-308799-20.

4.2. The key elements of the Applicant's submission in support of the case being designated as strategic infrastructure are summarised as follows:

- The grid connection is electrical infrastructure as defined under Section 182A "Electricity Transmission".
- The 110kV electrical infrastructure would be used for the purposes of electrical transmission.
- The scale of the project is strategic in nature and economically important to the region.

4.3. It was concluded that the proposed development should be deemed a SID.

5.0 Pre-Application Consultations

5.1. One Consultation meeting was held in the Board offices on 20th October 2022.

5.2. During this meeting the prospective applicant described the site and surroundings, outlined the main elements of the proposed development, provided clarification that the EIAR for the Carrownagowan windfarm development fully assessed the entire

project including the preferred grid connection to the Ardnacrusha connection point. The policy context for the project was explained, the major constraints and options considered were identified, and the consultations undertaken to date were outlined. The Board representatives identified several areas of concern including: - consideration of a shorter alternative grid connection routes; proximity to European sites; and disturbance to/and spread of invasive species along the route (incl. at Kilbane Village).

5.3. The Board's advice to the prospective applicant during the pre-application consultation meetings is summarised below:

- (a) Clarify relationship between site and Slieve Bernagh Bog SAC.
- (b) Ensure that the works do not disturb or cause the spread of invasive species along the routes and in the vicinity of Kilbane Village.

The prospective applicant subsequently confirmed by that the proposed grid connection route would not traverse the Slieve Bernagh Bog SAC.

5.4. The prospective applicant, in letter received by the Board on 28th October 2022, wishes to formally request the closure of the pre-application process, and a determination that the proposal constitutes strategic infrastructure under S.182A (9) of the Planning and Development Act 2000 (as amended), as meaning the transport of electricity by means of (a) high voltage line where the voltage would be 110kV or more.

6.0 Legislative provisions

6.1. 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.

6.2. **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.

6.3. In **section 2(1) of the Electricity Regulation Act, 1999**, “transmission” is defined as 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.

“Distribution” is defined as

“The transport of electricity by means of a distribution system, that is to say, a system which consists of electric lines, electric plant, transformers and switch gear and which is used for conveying electricity to final customers.”

“Electric plant” is defined as:

“any plant, apparatus or appliance used for, or for the purposes connected with, the generation, transmission, distribution or supply of electricity other than –

(a) An electric line

7.0 Assessment

- 7.1. The proposed development comprises a new 110kV underground grid connection from the permitted Carrownagowan windfarm to a connection with the existing Ardnacrusha hydro power station which is located c.25km to the S. It is envisaged that electricity generated by the Carrownagowan windfarm would be “tail-fed” into the national grid via the permitted proposed grid connection.
- 7.2. I am satisfied that the proposed 110kV grid connection constitutes electric infrastructure as defined in section 6.0 above in that it is connected with the generation and transmission of electricity.
- 7.3. Section 182A (9) of the Act sets a threshold of 110kV in order for a high voltage electricity transmission line to be considered strategic infrastructure, and the proposed grid connection meets this threshold.
- 7.4. In terms of matters which might influence the decision of the Board I note that there is potential for indirect effects, interactions and cumulative impacts which would be relevant to consideration in an Environmental Report and under AA Screening and/or NIS reports. A Screening report for sub-threshold EIA should also be considered.
- 7.5. In conclusion, I consider that the proposed grid connection as described in the submissions and drawings constitutes strategic infrastructure coming within the scope of section 182A of the Planning and Development Act 2000, as amended, necessitating an application direct to the Board.

8.0 Recommendation

- 8.1. I recommend that FutureEnergy Ireland Development DAC be informed that the proposed development consisting of a 110kV underground grid connection from Carrownagowan wind farm to Ardnacrusha hydro power station, County Clare, as set out in the plans, particulars and correspondence received by An Bord Pleanála on the 20th of July 2022, falls within the scope of section 182A of the Planning and Development Act 2000, as amended, and that a planning application should be made directly to the Board.

9.0 Prescribed Bodies

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

- i. Minister for Housing, Local Government and Heritage
- ii. Minister for Environment, Climate and Communications
- iii. Commission for Regulation of Utilities, Water and Energy
- iv. Inland Fisheries Ireland
- v. Transport Infrastructure Ireland
- vi. The Heritage Council
- vii. An Taisce
- viii. An Chomhairle Ealaíon
- ix. Fáilte Ireland
- x. Health & Safety Authority

Further notifications should also be made where deemed appropriate.

Karla Mc Bride

Senior Planning Inspector

25th November 2022