

An
Bord
Pleanála

Inspector's Report ABP-320053-24

Development

Proposed uprating of 3 No. existing 110kV circuits as follows:

- 1) Athlone to Lanesboro 110kV
Circuit in Co. Roscommon and Co. Longford (EirGrid Ref. CP1311);
- 2) Cushaling to Portlaoise 110kV
Circuit in Co. Offaly, Co. Kildare and Co. Laois (EirGrid Ref. CP1003); and
- 3) Rinawade to Dunfirth 110kV Circuit
in Co. Kildare, Co. Offaly and Co. Meath (EirGrid Ref. CP1403).

Location

- 1) Between Athlone 110kV Station in the townland of Monksland in Co. Roscommon and Lanesboro 110kV Station in the townland of Aghamore, Lanesborough, Co. Longford;
- 2) Between Cushaling Station in the townland of Ballykilleen Co. Offaly and Portlaoise 110kV Station in the townlands of Clonminam and Kylekiproe, Co. Laois; and

- 3) Between Rinawade 110kV Station in Rinawade Lower, Co. Kildare to Kinnegad 110kV substation in Killaskillen, Co. Meath.

Planning Authority

Roscommon County Council,
Longford County Council, Offaly
County Council, Laois County Council,
Kildare County Council & Meath
County Council.

Prospective Applicant

EirGrid plc.

Type of Application

Pre-Application consultation under
Section 182E of the Planning and
Development Act, 2000, as amended.

Date of Site Inspection

None required.

Inspector

Robert Speer

1.0 Introduction

- 1.1. The Board received a request on 27th June, 2024 from the prospective applicant, EirGrid plc, to enter into pre-application consultations under Section 182E of the Planning and Development Act, 2000, as amended, in relation to the proposed uprating of 3 No. existing 110kV circuits as follows:
 - 1) Athlone to Lanesboro 110kV Circuit in Co. Roscommon and Co. Longford (EirGrid Ref. CP1311);
 - 2) Cushaling to Portlaoise 110kV Circuit in Co. Offaly, Co. Kildare and Co. Laois (EirGrid Ref. CP1003); and
 - 3) Rinawade to Dunfirth 110kV Circuit in Co. Kildare, Co. Offaly and Co. Meath (EirGrid Ref. CP1403).
- 1.2. A pre-application consultation meeting was not considered necessary in this instance.
- 1.3. This report provides an overview of the proposed development, relevant precedents and the legislative provisions before recommending that the proposed development does not constitute strategic infrastructure.

2.0 Site Location and Description

- 2.1. *Between the Athlone 110kV Station in the townland of Monksland in Co. Roscommon and the Lanesboro 110kV Station in the townland of Aghamore, Lanesborough, Co. Longford:*
 - 2.1.1. The Athlone to Lanesborough 110kV Circuit is made up of two sections of overhead line which extend over a combined distance of 38.5km between the Athlone 110kV Substation in the townland of Monksland in Co. Roscommon and the Lanesboro 110kV Substation in the townland of Aghamore, Lanesborough, Co. Longford. The circuit commences at Tower 1 in the Athlone 110kV substation before heading north to cross the N6 National Road and then passing to the east of the Cushla Grove housing scheme and nearby sports pitches (St. Joseph's FC Athlone) at Ashford. It continues in a north / north-westerly direction along a route generally parallel to the N61 National Road before turning northeast (at Structure 108) in the townland of

Lisnagoon and crossing the N61 National Road (between Structures 111 and 112) followed by the Dublin to Westport railway line at Structure 116. The route then extends northwards over the Lough Ree Special Area of Conservation (Site Code: 000440) and the Lough Ree Proposed Natural Heritage Area (Site Code: 000440) between Structures 134 and 139, 143 and 155. The overhead line subsequently continues in a north-easterly direction running parallel to the shore of Lough Ree passing to the south of the Lisnannaigh Bog Natural Heritage Area (Site Code: 002072) and turning northwards at Structure 173 before crossing the N63 National Road and turning east to run parallel to the roadway behind roadside development. It crosses the R371 Regional Road before oversailing the River Shannon and crossing the administrative boundary between Co. Roscommon and Co. Longford. The circuit ends at Tower 199 in the Lanesboro 110kV Substation in the townland of Aghamore, Lanesborough, Co. Longford, adjacent to the site of the former Lough Ree Power Station and behind Lanesborough Primary School.

2.2. Between Cushaling Station in the townland of Ballykilleen Co. Offaly and Portlaoise 110kV Station in the townlands of Clonminam and Kylekiproe, Co. Laois:

- 2.2.1. The Cushaling to Portlaoise 110kV Circuit extends over a total distance of 41.7km between the Cushaling substation in the townland of Ballykilleen, Co. Offaly, and the Portlaoise 110kV Station in the townlands of Clonminam and Kylekiproe, Co. Laois. It exits the Cushaling substation from the east and runs parallel to the Cushaling to Newbridge 110kV Circuit before turning south at Structure 8 and continuing southwards to the east of Clonbulloge. It subsequently crosses several local roads along with the R401 Regional Road before heading southeast at Structure 37 between the townlands of Fanbeg and Kilcloncorkry.
- 2.2.2. Between Structures 45 and 46 (to the west of Rathangan) the route crosses the Black-Portarlington 38kV overhead line and the R419 Regional Road before crossing the Slate River into Co. Kildare whereupon it continues in a south-easterly direction to pass over the Grand Canal (and the Grand Canal Proposed Natural Heritage Area, Site Code: 002104) to the north of Kiltaghan South / Wilson's Bridge and then turning southwest to run parallel to the R414 Regional Road.
- 2.2.3. At Structure 73, the overhead line turns southwest to cross the Grand Canal again (between Structures 77 and 78) and continues in this direction running parallel to the

Grand Canal until it crosses the Newbridge to Portlaoise 110kV Circuit between Structures 86 and 87 and the Black River between Structures 88 and 89. The route then crosses the River Barrow (and the River Barrow and River Nore Special Area of Conservation, Site Code: 002162) and continues in a south-westerly direction into Co. Laois crossing R424 & R420 Regional Roads followed by the Dublin-Cork railway line. It passes south of Mount Henry Cross and to the northwest of Old Pound and then heads due south at Structure 130 running parallel to the Newbridge to Portlaoise 110kV until meeting the R445 Regional Road.

2.2.4. The circuit proceeds to cross the M7 Motorway to the north of Junction 15 (Ballybrittas) where it continues south-westwards parallel to the M7, passing south of the Heath Golf Club (The Great Heath of Portlaoise Proposed Natural Heritage Area, Site Code: 000881), before crossing the M7 again between Structures 184 and 185. The route then crosses the R425 Regional Road and the N80 National Road before turning westwards at Structure 199 and heading towards Portlaoise after which it crosses a quarry, the Lismard Business Park and the Ridge of Portlaoise Proposed Natural Heritage Area (Site Code: 000876) before approaching the Portlaoise substation from the east.

2.3. *Between Rinawade 110kV Station in Rinawade Lower, Co. Kildare to Kinnegad 110kV Station in Killaskillen, Co. Meath:*

2.3.1. The Rinawade - Dunfirth Tee – Kinnegad 110kV Circuit is made up of eight sections of overhead line which extend over a combined distance of 53.8km between the Rinawade 110kV Station in Rinawade Lower, Co. Kildare and the Kinnegad 110kV Station in Killaskillen, Co. Meath (*N.B.* Structure numbers are not consecutive due to the meshed nature of the grid in the area). The circuit commences at the Rinawade 110kV Station located within the Liffey Business Park south of Leixlip on the southern side of the M4 motorway and heads north crossing the M4 between Structures 34 and 33. It continues in a northerly direction traversing the green area parallel to the Beech Park housing scheme before turning northwest at Structure 31 and crossing the R449 Regional Road.

2.3.2. After Structure 30 it intercepts the double circuit Maynooth – Rinawade and Maynooth - Ryebrook 110kV Circuit and heads northeast crossing the R449 Regional Road again, the Dublin-Sligo railway line, the Royal Canal (and the Royal

Canal Proposed Natural Heritage Area, Site Code: 002103), the Ryebrook business park, the Maynooth (R148) Road and the Intel Ireland Ltd. manufacturing complex. It then proceeds over the Rye Water (and the Rye Water Valley / Carton Special Area of Conservation and the Rye Water Valley / Carton Proposed Natural Heritage Area, Site Codes: 001398). Between Structures 231 and 230 the route crosses the Corduff - Ryebrook 110kV circuit and continues in parallel before turning northwards at Structure 47 and crossing into Co. Meath until Structure 220 when it heads northwest.

2.3.3. The line extends due west between Structures 218 & 214 at which point it heads in a more north-westerly direction crossing the Kellystown – Woodland 220kV circuit and the R157 Regional Road (Dunboyne Road) before continuing in this direction to a location south of Kilclone. At this point the route travels westwards to cross the R125 & R158 Regional Roads to the north of Kilcock, the Gorman-Maynooth 220kV circuit, the Royal Canal (including the Royal Canal proposed Natural Heritage Area, Site Code: 002103) and the Dublin-Sligo railway line before crossing back into Co. Kildare at Structure 153. It then continues in southwest direction and crosses the M4 Motorway at Cappagh before passing through agricultural lands and dispersed rural settlement. Between Structures 124 & 123 the circuit crosses the River Blackwater before continuing southwest and crossing the Maynooth - Shannonbridge 220kV overhead line.

2.3.4. At Structure 117 the circuit crosses Dunfierth Park Road (Local Road No. L1004) and then heads westwards crossing the R402 Regional Road. It then turns slightly southwards crossing several local roads and traversing agricultural lands and dispersed rural settlements. At Structure 55 it heads due west crossing the R401 Regional Road and the River Boyne where it briefly enters Co. Offaly before turning north and subsequently crossing the Yellow River into Co. Meath. The route then continues north before turning northwest on approach to the Kinnegad 110kV substation in the townland of Killaskillen from the east.

3.0 Proposed Development

3.1. The proposed uprating of the circuits involves the upgrading and refurbishing of the existing assets to allow their operation at a higher rating and temperature in

compliance with the Transmission System Security and Planning Standards (TSSPS) so that power can be transported more efficiently. The primary works involved include the replacement of the electricity line conductor which requires works to the lattice towers and wooden polesets to support the electricity line conductor and ancillary works in the corresponding electrical substation to integrate the electricity line conductor.

- 3.2. The principle of the development is the same at each of the individual site locations with the proposed works including:
- Replacement of the conductor.
 - Replacement of lattice steel towers and wooden polesets as required.
 - The repairing, renewal, altering of all structures on the line including the painting; replacement of insulators, crossarms and other hardware; foundation works; vibration dampers; and miscellaneous works, including replacement of shackles, clamps, arcing horns, and danger notices as required.
 - All ancillary site development works including site preparation works, hardstanding, temporary access, and construction compounds.
- 3.3. The works proposed also include for the replacement / upgrade of equipment in both the Kinnegad and Rinawade 110kV stations.
- 3.4. The prospective applicant has advised that the works would normally constitute exempted development pursuant to Section 4(1)(g) of the Planning and Development Act, 2000, as amended, however, following screening for the purposes of Appropriate Assessment, it has been concluded that the likelihood for impacts on Natura 2000 sites cannot be ruled out, hence permission may be required for the proposed works.

4.0 Relevant Planning History

- 4.1. Details of any planning history along the various routes are not strictly relevant to the question currently before the Board.

5.0 Precedent Cases

- 5.1. There are multiple incidences of the Board having made determinations as to whether similar-type projects constitute Strategic Infrastructure Development. Relevant precedent decisions are set out below.

File Reference	Nature of Development	Location	Determination
ABP-315693-23	Uprating of 4 No. separate 110kV OHL and 1 No. 220kV OHL	Counties Longford, Roscommon, Tipperary, Cork Louth & Meath.	Not SID
ABP-315461-23	Uprating of a 110kV circuit	Co. Laois.	Not SID
ABP-312519-22	Uprating of 5 No. separate 110kV OHL	Counties Meath, Louth, Galway, Wexford, Offaly & Laois.	Not SID
ABP-311396-21	Uprating of a 110kV circuit	Co. Mayo.	Not SID
ABP-311253-21	Refurbishment of a 220kV circuit between Casla and Flagford	Co. Galway & Co. Roscommon.	Not SID
ABP-310830-21	Uprating of c. 57km of 110kV OHL including replacement of poles, lattice towers etc.	Co. Mayo.	Not SID
ABP-309446-21	Uprating of 110kV circuit OHL over 45km including replacement of towers and wooden pole sets.	Co. Donegal.	Not SID
ABP-305276-19	Refurbishment of 220kV overhead line over c. 70km	Co. Wexford & Co. Carlow.	Not SID
10.VC0108	Refurbishment of an existing 220kV line	Co. Wexford & Co. Carlow.	Not SID
07.VC0106	Refurbishment of c. 65km of OHL between Tuam and Lanesborough incusing the replacement of polesets, masts and foundation upgrades.	Co. Galway & Co. Roscommon.	Not SID

6.0 Prospective Applicant's Case

- The combined approach to pre-application consultation under Section 182E of the Planning and Development Act, 2000, as amended, was previously considered acceptable in the pre-application requests made under ABP Ref. Nos. VC04.301174 (Series Compensation Developments Projects), VC09.303148 (STATCOMs Developments Projects), VC17.312519 (Uprating of Existing 110kV Circuit Projects) and VC04.315693 (Uprating of Existing 110kV and 220kV Circuit Projects).
- It is the prospective applicant's initial consideration that both the overall proposed development and each of its 3 No. project elements do not constitute Strategic Infrastructure Development having regard to the precedents established by previous Board determinations. However, it is acknowledged that this is a matter for the Board to decide. It is also accepted that it is for the Board to consider whether it determines the matter in respect of the overall development or for each of the 3 No. project elements.
- The Board is requested to provide advice as to whether or not the proposed development constitutes Strategic Infrastructure Development in accordance with the provisions of Section 182A of the Planning and Development Act, 2000, as amended, or whether an application for permission should be made to the local authorities for the respective areas pursuant to Section 34 of the Act.
- The proposed circuit uprates form part of a larger suite of circuit uprates being progressed on the national grid to aid the integration of future renewables generation and to alleviate some of the constraints on the network in the area. The proposal is for typical uprate works as part of EirGrid's and the ESB's routine function to ensure the safe, secure and reliable transmission of electricity.
- Preliminary screening has concluded that Appropriate Assessment is likely to be required for the proposed works and as such the proposed development does not constitute exempted development by reference to Section 4(4) of the

Planning and Development Act, 2000, as amended, and will require planning permission.

- Given the nature, scale and function of the proposed development on the transmission network, and as the project relates to existing and long-established circuits, and having regard to Section 37(A)(2) of the Planning and Development Act, 2000, as amended, the proposed development does not comprise Strategic Infrastructure Development.

7.0 Legislative Provisions

- 7.1. **Section 2(1)** of the Planning and Development Act, 2000, as amended, defines '*strategic infrastructure*' as including, inter alia: (d) any proposed development referred to in section 182A(1).
- 7.2. **Section 182A(1)** of the Act (inserted by section 4 of the 2006 Act) provides that 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 the development under section 182B and shall apply to the Board for such approval accordingly.
- 7.3. **Subsection 182A(9)** states that '*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.
- 7.4. **Section 2(1) of the Electricity Regulation Act, 1999, as amended**, includes the following definitions:
- 7.4.1. "**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'.

7.4.2. **"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'.

8.0 **Assessment**

- 8.1. Having regard to the information provided by the prospective applicant and the statutory definition referenced above, I am satisfied that the 3 No. existing 110kV circuits the subject of this pre-application consultation can reasonably be considered to form part of the transmission network for the purposes of the Planning Act. Moreover, it is apparent from a review of previous determinations made by the Board in respect of developments of a similar nature (i.e. the refurbishment and uprating of existing overhead power lines and circuits) that it has been consistently concluded that the refurbishment and uprating of 110kV and / or 220kV circuits constitutes development which does not fall within the scope of strategic infrastructure under the provisions of Section 182A of the Act.
- 8.2. The subject proposal does not comprise the development of a new transmission line but rather involves the upgrading and refurbishing of 3 No. existing 110kV circuits that already form part of the established transmission network with a view to improving overall performance so that power can be transported more efficiently. Such uprating works are typically required on a periodic basis as part of the general management and maintenance of the electricity network in the State. In this instance, the proposed works include, inter alia, the replacement of existing conductors on the overhead line circuits and associated works to ensure the integrity

of support structures e.g. the replacement of existing wooden polesets and / or lattice tower structures and the strengthening of foundations etc. The works in question will not result in any fundamental change to the primary function or appearance of the network infrastructure and there will be no deviation to the routes of the established circuits. It is of further relevance to note that the Board has previously ruled that even where the proposed uprating and refurbishment of an overhead line and circuit is to occur over a very long distance (in excess of 100km) and will include works involving the strengthening of the foundations of lattice structures etc., it will not constitute Strategic Infrastructure Development.

- 8.3. Therefore, on the basis of the available information, it is my opinion that the proposed works do not fall within the scope of Section 182A of the Planning and Development Act, 2000, as amended, and that planning applications should be made in the first instance to the relevant planning authorities.
- 8.4. By way of further clarity, it should be noted that the Board has previously determined bundles of pre-application consultations relating to the same type of infrastructure or project and, therefore, in my opinion, it is appropriate to determine the various projects in this pre-application consultation under the one pre-application consultation and report.

9.0 Recommendation


- 9.1. It is recommended that the prospective applicant, EirGrid plc, be informed that the proposed development consisting of the uprating of the following 3 No. existing 110kV circuits:

- 1) Athlone to Lanesboro 110kV Circuit in Co. Roscommon and Co. Longford (EirGrid Ref. CP1311);
- 2) Cushaling to Portlaoise 110kV Circuit in Co. Offaly, Co. Kildare and Co. Laois (EirGrid Ref. CP1003); and
- 3) Rinawade to Dunfirth 110kV Circuit in Co. Kildare, Co. Offaly and Co. Meath (EirGrid Ref. CP1403),

as set out in the plans and particulars received by An Bord Pleanála on the 27th day of June, 2024, does not fall within the scope of section 182A of the Planning and

Development Act, 2000, as amended, and that planning applications for each of the projects be made in the first instance to the relevant planning authorities.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Robert Speer
Senior Planning Inspector

2nd October, 2024