



An  
Bord  
Pleanála

## Memorandum 10.VC0108

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**To:** Conall Boland, Deputy Chairperson  
**From:** Stephen Kay, Senior Planning Inspector  
**Re:** 10.VC0108  
**Date:** 1 June, 2018

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### ***Introduction***

I refer to the above case and to the record of the second meeting held with the prospective applicant on 15<sup>th</sup> March, 2018, a written record of which is attached on file. At this meeting, the prospective applicant made a presentation to the Board representatives which addressed the preliminary view of the Board dated 25<sup>th</sup> October, 2017 that the proposed development does constitute strategic infrastructure.

The following sections give an overview of the issues raised by the prospective applicant at the meeting and my comments on the implications of the meeting for my original report and recommendation on the case.

### ***Second Pre Application Consultation***

At the second pre application meeting held on 15<sup>th</sup> March, 2018 the prospective applicant made a presentation to the Board representatives addressing the Board's preliminary view that the proposed development is strategic infrastructure and that the pre application process should continue. A copy of the presentation slides as well as a copy of the record of the meeting is attached on the case file.

The following issues are noted from the presentation and the discussion undertaken at the meeting:

- It is acknowledged by the prospective applicant that the proposed development comprises works to the transmission network.
- Stated that the reason why permission is required relates to the fact that a screening for appropriate assessment determined that likely significant effects on European sites could not be ruled out. Were it not for this the development would be exempt under s.4(1)(g) of the Act with no limitations in terms of the length or extent of works.
- That the proposed development is similar in terms of length, nature and extent of works to other projects previously determined by the Board not to be SID (for example VC0072 Bellacorick to Castlebar uprating, VC0080 Ballyvoughill – Knockanure uprating and VC0086 Moneypoint to Oldstreet uprating project).
- Question asked by the prospective applicant as to what is the determining factor in the case of the subject project that distinguishes it from others previously determined not to be SID.
- Prospective applicant referenced the fact that the original Grid Link project was a single solution (project) designed to meet multiple needs. The Regional Solution, which is the replacement for Grid Link in the most recent Grid Development Strategy, is stated to follow the current principle of maximisation of existing infrastructure and is described as comprising multiple projects to serve multiple needs. Stated that projects are independent and are not reliant on each other. Again the question is asked what distinguishes the subject project from others which have previously been determined not to be SID and which are also considered to be strategic projects which address multiple needs.

### **Comment**

The issues raised by the prospective applicant at the second pre application consultation meeting are noted. I also note and would accept the comment made by the prospective applicants with regard to the lack of a clear distinction in terms of nature and extent of development between the current project and others previously determined by the Board not to constitute SID.

Against this however, s.182A of the Planning and Development Act, 2000 (as amended) makes it clear that works to the transmission network constitute strategic infrastructure. The prospective applicant acknowledges the fact that the proposed development does relate to works on the existing transmission infrastructure.

The prospective applicant has stated that the current approach of Eirgrid to the development of the grid is the maximisation of existing assets in the first instance and I note the comment that the Regional Approach now proposed comprises a number of individual independent projects in place of what was formerly a single project (Grid West). While I note the similarities between the current project and a number of others previously determined by the Board not to constitute SID, as well as the fact that the identified projects including the Great Island to Kilkenny uprating project are individual stand alone projects, I remain unclear as to the basis under which a number of specific upgrading and new infrastructure projects are identified in the Grid Development Strategy document under the heading of Regional Solution. Given the wording of s.182A of the Act and the specific reference to the project in the National Grid Development Strategy I do not on balance consider it appropriate to recommend that the project does not constitute SID.

I recognise that a determination that the proposed development would constitute Strategic Infrastructure would be at variance with previous Board determinations on similar pre application requests relating to upgrading and / or uprating of existing high voltage lines. The Board may therefore consider it appropriate in terms of consistency of approach to determine that the current proposal does not constitute strategic infrastructure development. The majority of such previous Board determination were however made prior to the publishing of the latest Grid Development Strategy and related to project not specifically identified in the strategy.

It should also be noted that a recommendation that the proposed development does constitute SID would have a limited impact in terms of precedent for future Board decisions given the finite and limited number of projects identified in the strategy under the heading of the regional solution.

***Conclusion / Recommendation***

The recommendation of my report dated 17th October, 2017 that the prospective applicant be informed that the proposed development consisting of proposed uprating and refurbishment of the existing Great Island to Kilkenny 110kv overhead line, running between Great Island, Co. Wexford and Kilkenny, Co. Kilkenny does fall within the scope of section 182A of the Planning and Development Act 2000, as amended, and that an application for approval should be made to An Bord Pleanála remains unchanged.

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Stephen Kay

Inspectorate

1<sup>st</sup> June, 2018