

OBJECTION TO STRATEGIC INFRASTRUCTURE DEVELOPMENT

**Application under Section 182A of the Planning and Development Acts 2000–
2023**

**Proposed Ballyloo Electricity Substation and Associated Underground Grid
Connection**

**Townlands of Ballyloo, Castletown, Graiguenaspiddoge, Kellistown East,
Kellistown West, Kilballyhue, Knockbower, Leagh or Ballybeg, Linkardstown
and Moyle Big, County Carlow**

**Reference number: “ABP-321858-25”
Location name: “Ballyloo Substation”**

Submitted to:
An Coimisiún Pleanála

Submitted by:
Paul Rooney
Rathoe
County Carlow

1. Introduction, Standing and Context

I, Paul Rooney, a resident of the wider Kellistown–Rathoe area, hereby lodge this formal objection to the above-referenced Strategic Infrastructure Development (SID) application pursuant to Section 182A of the Planning and Development Act 2000 (as amended).

While this submission is made in my name alone, it reflects well-founded concerns shared by nearby households and residents who are directly affected by the scale, intensity, cumulative burden, and environmental risk associated with the continued concentration of energy infrastructure in this locality.

The proposed development comprises:

- A **110kV or 220kV electricity substation**.
- Using **Air Insulated Switchgear (AIS)** or potentially **Gas Insulated Switchgear (GIS)**.
- Approximately **8.6–8.9 km of underground grid connection cabling**.
- Connecting multiple permitted and proposed solar developments to the existing **110/220kV Kellistown Substation**.

The application is characterised by **fundamental uncertainty**, excessive design flexibility, and reliance on future decisions by third parties. These deficiencies undermine environmental assessment, public participation, and compliance with proper planning and sustainable development.

2. Excessive Design Flexibility and Lack of Project Definition

A central flaw of this application is that the Board is being asked to approve a development which is **not defined with sufficient certainty**.

The applicant seeks permission for:

- A **110kV or 220kV** substation.
- **AIS or GIS** switchgear.
- **110kV or 220kV** underground cabling.
- Alternative routing options for the final section of the cable (public road or private land).

These are not minor or ancillary details. Voltage level, switchgear type, and routing materially affect:

- Fire risk and emergency response.
- Environmental risk and pollution pathways.
- Construction impacts.
- Visual, noise, and landscape effects.

Deferring these matters to “EirGrid requirements” deprives the Board and the public of the ability to properly assess impacts. This approach conflicts with settled planning principles and undermines the Aarhus Convention right to informed participation.

3. Project Splitting and Failure to Assess Cumulative Impact

The proposed development forms part of a **single, integrated energy project**, comprising:

- Multiple large-scale solar farms (permitted and proposed).
- This proposed substation.
- The underground grid connection.
- Reasonably foreseeable associated infrastructure required to stabilise and manage grid export.

Advancing these elements through separate applications represents **project splitting**, contrary to Irish planning law.

In *O’Grianna & Ors v An Bord Pleanála* [2014] IEHC 632, the High Court held that grid infrastructure integral to a wider development must be assessed cumulatively. Similarly, in *Daly v Kilronan Wind Farm Ltd* [2017] IEHC 308, the Court rejected fragmented assessment of energy infrastructure.

No single EIAR has assessed:

- Combined construction impacts.
- Combined hydrological and ecological risk.
- Combined traffic disruption.
- The cumulative industrialisation of a rural landscape.

This piecemeal approach is inconsistent with proper planning and sustainable development.

4. Underground Cabling, Road Disruption and Community Burden

The proposal includes **8.6–8.9 km of trenching**, largely along minor rural roads. This will involve:

- Extended road excavations.
- HGV movements.
- Temporary closures and traffic management.
- Joint bays and reinstatement work.

The Carlow County Development Plan (CDP) requires that infrastructure development **does not overload rural road networks** and that cumulative impacts are assessed. In practice, residents in this area are already experiencing **continuous disruption** from overlapping energy projects.

Treating each development as “temporary” in isolation fails to reflect the lived reality of prolonged construction and is contrary to the CDP’s objectives on transport, amenity, and rural community protection.

5. Hedgerow Removal, Habitat Fragmentation and Green Infrastructure

The CDP identifies hedgerows, field boundaries, and watercourses as critical components of **County Carlow's Green Infrastructure network**.

The proposed cabling will:

- Remove or damage hedgerows.
- Fragment linear habitats.
- Weaken ecological connectivity.

The application lacks:

- A comprehensive hedgerow loss inventory.
- Firm commitments to like-for-like replacement.
- Long-term ecological management measures.

Incremental loss across multiple projects directly undermines CDP biodiversity policies and cannot be dismissed as insignificant.

6. Watercourses, Hydrological Connectivity and the River Barrow SAC

The underground cable route crosses or runs adjacent to **multiple streams and drains** within the River Barrow catchment. These waters are **hydrologically connected** to the **River Barrow and River Nore SAC (Site Code 002162)**.

Under Article 6(3) of the Habitats Directive, the test is not proximity but **connectivity and risk**. Even indirect impacts such as:

- Sediment release.
- Accidental pollution.
- Contaminated runoff.

can adversely affect qualifying interests including salmon, lamprey, crayfish, otter, and water-dependent habitats.

The Natura Impact Statement relies on mitigation assumptions rather than worst-case analysis. In *Sweetman v An Bord Pleanála* (C-258/11), the CJEU confirmed that **scientific doubt must lead to refusal**, not conditional approval.

7. Fire Risk, Environmental Pollution and Emergency Response Capacity

7.1 Fire Risk Associated with High-Voltage Substations

High-voltage substations involve:

- High-energy electrical equipment.
- Oil-filled transformers (in many configurations).
- Continuous operation under load.

Transformer and substation fires, while infrequent, are **high-impact events**, producing:

- Intense heat.
- Toxic smoke.
- Large volumes of contaminated firewater.

Where **GIS** is used, additional risk arises from **sulphur hexafluoride (SF₆)**, a hazardous substance if released.

No site-specific fire risk assessment has been submitted.

7.2 Firewater Runoff and Pollution Pathways

Fire suppression typically requires **large volumes of water**, which can become contaminated with:

- Transformer oils.
- Heavy metals.
- Combustion by-products.

Given the site's proximity to streams feeding the River Barrow SAC, any failure of containment presents a **direct pollution pathway**.

In *People Over Wind v An Bord Pleanála* [2018] C-323/17, the CJEU confirmed that mitigation cannot be assumed where uncertainty remains. The absence of worst-case fire and pollution modelling is therefore a critical flaw.

7.3 Emergency Response Capacity

The application provides:

- No evidence of consultation with the local fire authority.
- No confirmation that specialist equipment is available locally.
- No assessment of response times or access constraints.

In rural areas, fire services are often retained and resource-limited. High-voltage electrical fires require specialist training and coordinated response. The absence of a tested emergency response plan is incompatible with proper planning.

8. Inappropriate Siting in an Environmentally Sensitive Location

Best planning practice requires that high-risk infrastructure be located where:

- Environmental consequences of failure are minimal.
- Pollution pathways are limited.
- Sensitive receptors are avoided.

Here, the convergence of:

- High-voltage infrastructure.
- Proximity to watercourses.
- Hydrological connectivity to a European site.
- Uncertain emergency response capacity.

means the **consequences of failure are unacceptable**, even if probability is low.

In *Holohan v An Bord Pleanála* [2018] C-461/17, the CJEU emphasised that all aspects of a project capable of affecting a Natura site must be fully assessed. That threshold has not been met.

9. Conflict with the Carlow County Development Plan 2022–2028

The proposal conflicts with multiple CDP objectives, including those relating to:

- Protection of rural character and landscape.
- Avoidance of over-concentration of infrastructure.
- Safeguarding water quality and Natura 2000 sites.
- Protection of biodiversity and green infrastructure.
- Community well-being and participatory planning.

While the CDP supports renewable energy, this support is **explicitly conditional** on compliance with environmental protection and proper planning. Those conditions are not satisfied here.

10. Conclusion and Request

This application is fundamentally deficient due to:

- Excessive design uncertainty.
- Project splitting and lack of cumulative assessment.
- Unresolved fire and pollution risk.
- Hydrological connectivity to the River Barrow SAC.
- Conflict with the Carlow County Development Plan.

Applying the precautionary principle and relevant Irish and EU case law, the Board cannot be satisfied that the proposed development will not result in adverse environmental effects.

I respectfully request that An Coimisiún Pleanála refuse approval for the proposed development.

In the alternative, the Board should require:

- A single, integrated EIAR.
- Removal of core design ambiguity.
- Full fire, hydrological, and emergency response assessment.
- Proper cumulative and plan-led evaluation.



Signed:
Paul Rooney
Rathoe, County Carlow,

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