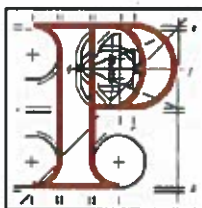


## An Bord Pleanála



**Inspector's Report: To Director of Planning. Report prepared further to request submitted to Director of Planning by An Bord Pleanála PCI Unit dated 15<sup>th</sup> September 2014 – Scope of material and level of information to be submitted in connection with potential S.I. application under s. 182A of the Planning and Development Act, 2000 (as amended)**

**Regulation (EU) No. 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-european energy infrastructure**

**&**

**Planning and Development Act, 2000 (as amended)**

**PCI 0001 / 02.VC0054**

<b>Project promoter:</b>	EirGrid PLC
<b>Issue:</b>	Project of Common Interest (PCI)/ Strategic Infrastructure (S.I.) application – Scope of material and level of information to be submitted in connection with potential S.I. application under s. 182A of the Planning and Development Act, 2000 (as amended) for that section of the North South 400kV Interconnector project falling within the Irish State
<b>Nature of Development:</b>	Proposed 400kV North South electricity interconnector from Woodlands substation Co Meath to State border.
<b>Inspector:</b>	Philip Green

## **1.0 INTRODUCTION/BACKGROUND**

**1.1** This document is prepared pursuant to instruction from the Director of Planning to prepare a report on the scope of material and level of information required to be submitted in a future application for approval for the proposed North-South Interconnector under the strategic infrastructure provisions of the 2000 Act (as amended). This development is also a Project of Common Interest. The provision of advice on the scope of material and level of detail of information to be submitted by the project promoter as part of the application file constitutes a mandatory requirement of the pre application stage of the PCI permit granting process under the provisions of Article 10(4)(a) of Regulation (EU) No. 347/2013. I also note that on the 2nd July 2014 the Board notified Eirgrid that that part of the North South interconnector project within the Irish State was mature enough to enter the permit granting process and that on the 10th September 2014 the Board notified Eirgrid that it had decided to modify Eirgrid's Concept for Public Participation.

**1.2** Article 10(4)(a) of Regulation (EU) No. 347/2013 states:

"upon the acknowledgement of the notification pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, and where appropriate on the basis of a proposal by the project promoter, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in Annex VI.1(e) shall serve as a basis for this identification;"

**1.3** This specific Article of the Regulation cross references to Annex VI.1(e). When reading Annex VI.1(e) it offers no further substance to explaining what is meant by scope of material and level of detail of information to be provided other than indicating that a checklist should be provided as a basis for this identification. A detailed checklist is not contained in the existing version of the Board's Manual of Permit Granting Process Procedures however the document confirms that the Board will identify the scope of material and level of information required to be submitted with a planning application lodged with it as SI Competent Authority and, in close cooperation with other authorities concerned, scope of material and level of information to be submitted to these other Authorities. Reference in this regard is made to relevant websites of the authorities concerned.

**1.3** An Bord Pleanála's PCI Unit has therefore requested comments on the scope of material and level of information required to be submitted with the application for approval under the strategic infrastructure provisions of the Planning and Development Act 2000 (as amended). This will be lodged separately but will form part of the overall PCI permit granting process. In making comments as requested by the PCI Unit I have

regard to this and to the specific statutory role, function and established procedures of the Board in determining strategic infrastructure planning matters under the Strategic Infrastructure provisions of the Planning and Development Act, 2000 as amended. You will be aware that under the SI legislation the pre application consultations under the SI process for that section of the project within the Irish State have been completed (Board reference 02. VC0054 see further history details below).

1.4 Under s. 182E(2) and SI procedures the Board may give advice to the prospective applicants regarding the proposed (SI) application and in particular regarding

- a) the procedures involved in making such an application, and
- b) what considerations, related to proper planning and sustainable development or the environment, may, in the opinion of the Board, have a bearing on its decision in relation to the application.

1.5 Any advice therefore now given to the PCI Unit is influenced significantly by the content of those now completed pre application consultation discussions. These discussions included issues relating to the subject matter of this latest PCI Unit request (see below).

## 2.0 **PLANNING HISTORY**

2.1 The North South Interconnector project was the subject of pre application discussions (references 17. VC0010 & 02. VC0011) and a subsequent (withdrawn) planning application (reference 02. VA0006) under the SI legislation. Following that withdrawn application new pre application discussions were held and recently completed for the project under reference 02. VC0054 – file attached. In parallel a scoping report (reference 02. VS0002) was completed which included consultations with Northern Ireland. By letter dated 10th February 2014 Eirgrid were advised that the proposed development would be strategic infrastructure within the meaning of the Act, that an EIS was required and that the Board were of the view that significant effects were likely on a transboundary State (Northern Ireland). You will also already be aware that there are currently two live planning applications (not yet determined) for that part of the North South Interconnector project falling within the jurisdiction of Northern Ireland.

## 3.0 **'SCOPING' ASSESSMENT**

3.1 The single matter to be dealt with in this report is to respond to the request for comments to the Board's PCI Unit on the scope of material and level of information required to be submitted in a future application for approval for the proposed North-South Interconnector under the strategic infrastructure provisions of the 2000 Act (as amended).

3.2 Five pre-application consultation meetings with the prospective applicants and their representatives were held on 2nd December 2010, 31st July 2013, 14th October 2013, 18th December 2013 and 23rd December 2013 (Written Records of those meetings are contained on the relevant file 02. VC0054). In addition as noted above and in parallel a scoping report providing the Board's written opinion on the information to be contained in the EIS to accompany the SI application was issued on 11<sup>th</sup> December 2013 under Board reference 02. VS0002.

3.3 **The development the subject of the SI pre application consultations:** The PCI Unit should note that the extent of the proposed development within the Irish State as ultimately described by Eirgrid in the pre application discussions included the following:

**CMSA Section (towers 103 to 237)**

- Single circuit 400 kV overhead transmission line supported by 134 towers (30 angle and 104 intermediate) for distance of 46.4 km. from border at Lemgare County Monaghan and Clonturkan, Co Cavan.

**MSA section (towers 237 to 402)**

- Single circuit overhead transmission line supported by 166 towers (46 angle and 120 intermediate) for a distance of 54.9km from Clonturkan, Co Cavan to Bogganstown Co Meath;
- Approx. 2.8km of new circuit will be supported on existing 400kv double circuit structures with one side of these towers currently used to support the existing Oldstreet to Woodlands 400kV circuit; the other side is spare and will be used for the N-S interconnector;
- Extension to existing Woodlands substation.

The proposed towers would be predominantly lattice steel IVI structures.

3.4 For the PCI Unit's information the Northern Ireland section as described (towers 1 to 102) includes

- New 275/400kV substation at Turleenan County Tyrone
- Single circuit 400kV OHL supported by 102 towers for a distance of 34.1km. from proposed substation at Turleenan to border;
- Approx. 200m. of OHL oversailing Northern Ireland between towers 106 and 107 in townland of Crossbane.

**The PCI Unit should advise Eirgrid to ensure that the scope of the material submitted must reflect the nature, scale and extent of the proposed development subject of the SI pre application consultation discussions on which the Board issued its SI determination dated 10<sup>th</sup> February 2014 and also on which the Board issued its scoping opinion on the 11<sup>th</sup> December 2013.**

**3.5** The PCI Unit should be advised that having regard to the matters raised in the completed SI pre application consultation process the following are key matters in regard to the scope of material and level of information to be included with the application:

- Extent of the prospective applicants re-evaluation of project having regard to matters arising from withdrawal of application 02 VA0006
- Background and continuing need for proposed development
- Support for project in local, national and regional context including Government policy and European context
- Established context of project within Grid 25 Strategy
- Status of Grid 25 document
- Route re-evaluation and associated environmental assessments carried out to inform the application supporting documentation/EIS/NIS including reasoning for omissions of Kingscourt sub station
- Identification of the difficulties encountered in regard to access to lands to carry out development and to undertake necessary baseline surveys (any difficulties should be recorded in EIS and means to address them explained).
- Updated status of planning application lodged in Northern Ireland.
- Technological alternatives reviewed
- Public and other consultations entered into in regard to the project and how evaluated/incorporated into development
- Explanation in supporting documents of the justification for the routing of line and siting of structures chosen and the balance and weighting used between avoidance of impacts on different types of sensitive receptors such as landscapes and residential property in the vicinity of the proposed development.
- Applicants methodology to ensure for adoption of a consistent approach throughout in the supporting application, EIS documents having regard to extent of project and proposed MSA and CMSA analysis subdivisions in proposed EIS
- Explanation and justification for the approach being taken to remove structures from sensitive ecological receptors and where access to survey not facilitated and given progress of line design to seek permission for fixed tower locations.
- Gaeltacht areas to be identified along with noting associated procedures including for public notices in Irish and translation of

parts of supporting application/EIS documentation into Irish as appropriate

- Extent and nature of documents, maps, drawings including aerial photographs and information to be provided with the application and EIS to include up to date baseline data and base maps. This includes showing new M3 road and recently constructed development and that with planning permission
- How applicants will address issues arising from the proposed development likely to having significant effects on the environment of a transboundary State.
- Entirety of environmental effects of Interconnector project to be assessed and dealt with in the application documentation and need for production of a Joint Environmental Report as proposed in the EC document Guidance on the Application of the Environmental Impact Assessment Procedure for Large Scale Trans-boundary Projects (2013).

**I would suggest that the above bullet points, along with the further details set out below could usefully form part of the scope of material and level of information required to be submitted as part of any future SI application.**

**3.6 In addition to the above I would suggest the following be brought to Eirgrid's attention:**

**(a) Plans:**

The nature and extent of the proposed development should be fully described in drawing form including provision of

- site location plans
- scaled site layout plans
- plans, elevations and sections (as relevant) of all aspects of the proposed development for which approval is sought including any temporary access arrangements:

Insofar as is relevant to the application and having regard to the specific circumstances and linear nature of the proposed development note should be taken of the provisions of article 23 of the Planning and Development Regulations, 2001 (as amended) concerning plans, drawings and maps lodged.

In this regard Eirgrid's attention should be brought to the detailed discussions held at the SI pre application consultation meetings and in particular those held on the 31<sup>st</sup> July, 18<sup>th</sup> and 23<sup>rd</sup> December 2013 in regard to scope of material and level of information to be provided. These meetings discussed matters such as the SI application process and procedures generally and the type and scale of drawing, photographic detail and aerial photographs to be lodged and

associated documentation/electronic document requirements and trans-boundary application procedures and associated documentation/electronic document requirements.

**(b) Particulars:**

The application should be accompanied by an Environmental Impact Statement pursuant to the requirements of Directive 2011/92/EU of 13 December 2011 (as transposed into Irish legislation under the Planning and Development Act 2000 (as amended) and associated Regulations) in regard to the assessment of the effects of certain public and private projects on the environment. In this regard Eirgrid must have full regard to the detailed Written Opinion on the information to be contained in the environmental impact statement to be prepared in respect of the proposed development provided by the Board on 11<sup>th</sup> December 2013.

The application should be accompanied by a Natura Impact Statement to facilitate an appropriate assessment of the project for the purposes of Article 6(3) of the Habitats Directive 92/43/EEC (as transposed into Irish legislation under the Planning and Development Act 2000 (as amended) and associated Regulations) of the proposed development's implications (alone and in combination) for European site(s) in view of the site(s) conservation objectives.

The application should be accompanied by a Joint Environmental Report as proposed in the EC document Guidance on the Application of the Environmental Impact Assessment Procedure for Large Scale Trans-boundary Projects (2013).

The applicant should confirm (or not) whether any other separate formal statutory Licenses/Consents are required for the proposed development under any other legislative code

**4.0 EIRGRID SUBMISSION - NORTH SOUTH 400Kv INTERCONNECTION DEVELOPMENT PROPOSED SCOPE OF APPLICATION**

4.1 Since you requested this report Eirgrid have submitted and you have forwarded the above 'Scope of Application' document received by the Board's PCI Unit. Your email dated 6<sup>th</sup> October 2014 seeks my views on this document also. You should note that this document is lodged under the terms of the PCI Regulation and specifically Article 10.4(a) of the Regulation (see section 1.2 above) and also references other related matters such as the Concept for Public Participation. I have however confined myself in reviewing the document to matters relating to the potential SI application.

4.2 The document sets out the draft structure of the application as follows:

## **Volume 1**

Volume 1A Application form and Enclosures

Volume 1B Planning Drawings

## **Volume 2**

Volume 2A Planning Report and Associated Appendices

Volume 2B Public and Landowner Consultation Report

Associated Appendices

## **Volume 3 Environmental Impact Statement**

Volume 3A Non-Technical Summary

Volume 3B Common Chapters (addressing both the Cavan Monaghan Study area (CMSA) and Meath Study Area)

Associated Appendices

Associated Figures

Volume 3C

Cavan-Monaghan Study Area (CMSA)

Associated Appendices

Associated Figures

Volume 3D

Meath Study Area (MSA)

Associated Appendices

Associated Figures

## **Volume 4 Joint Environmental Report**

## **Volume 5 Natura Impact Statement**

The document then provides further general information on the content of each Volume.

- 4.3 I note from this submission that in their application documentation Eirgrid will make reference to the background to the latest application including the previous withdrawn SI application and that information gained from this withdrawn application is being used to inform the latest proposal and its proposed content. It appears to me also that the 'proposal' makes substantial reference to the content of the SI pre application consultation discussions and the Board's scoping of the EIS as a basis for the scope of material to be submitted with the application. The document specifically identifies where the application documents will address the issues identified in the Board's EIS scoping opinion.

## **5.0 CONCLUSIONS**

- 5.1 It is my opinion that the 'proposal' lodged by Eirgrid sets out a reasonable structure on which the application file can be based. In addition it appears to me that the scope and content of information to be provided broadly reflects that referred to in Section 3 above and which itself reflects the content of the pre application consultation



discussions and scoping of the EIS previously undertaken for this proposed development.

- 5.2 I recommend that the PCI Unit be advised accordingly and that the proposal lodged by Eirgrid subject to highlighting and inclusion of all the matters referred to in Section 3 above (as raised in pre application consultation discussions and in the Board's scoping opinion of information to be contained in the EIS) is acceptable as the basis for the scope of material and level of detail of information to be submitted with the SI application.
- 5.3 The PCI Unit should also advise Eirgrid to note that the Strategic Infrastructure legislation allows for requests for additional information to be made by An Bord Pleanála should it consider this to be necessary during the period of the formal strategic infrastructure planning application process.
- 5.4 The PCI Unit may wish to provide and/or attach the Written Records from the SI pre application consultation process and the Board's Written Opinion on information to be contained in the EIS along with the List of Prescribed Bodies as set out by the Board to be notified of the application in any discussions/correspondence it holds with Eirgrid.
- 5.5 Eirgrid should be advised that any supporting documentation lodged with the application should set out how such documents have been informed by any public consultations carried out including that with prescribed bodies.



**Philip Green**  
**Assistant Director of Planning.**  
9<sup>th</sup> October 2014

