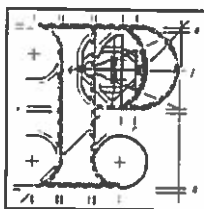


An Bord Pleanála



Inspector's Report

02.VC0054

Prospective Applicant:	EirGrid PLC
Planning Authority:	Meath, Cavan & Monaghan County Councils
Issue:	SID Pre-application – whether project is or is not strategic infrastructure development
Nature of Development:	Proposed 400kV North South electricity interconnector from Woodlands substation Co Meath to a proposed substation at Turleenenan, Co Tyrone, N. Ireland (potential S.I. development constitutes that part of the transmission line within the Republic to the State border). Separate applications have already been lodged by Northern Ireland Electricity (NIE) to the Northern Ireland Planning Service (NIPS) in N. Ireland for section of route within that jurisdiction
Inspector:	Philip Green

1.0 INTRODUCTION

- 1.1 The subject proposal relates to that part of a proposed 400kV AC single circuit overhead transmission line (OHL) within the Republic of Ireland (approx. 105km.) proposed as a North South electricity interconnector from Woodlands substation near Batterstown Co Meath to Turleenenan, Co Tyrone, N. Ireland (crossing the border into N Ireland at Lemgare, north east of Clontibret Co Monaghan). The routing of the proposed development is stated by the prospective applicants to be broadly similar to that which was proposed in the previously withdrawn application lodged direct to the Board as S.I. – 02. VA0006 (see relevant history section below) with however localized modifications taking into account of construction of one off houses, exclusion of the intermediate sub station near Kingscourt (stated not to be required for a period of approx. 10 years and which would then be subject of further application and environmental assessment) and due to modifications arising from technical and environmental considerations during EirGrid's re-evaluation process including removal of structures away from sensitive ecological receptors and where access for survey was not permitted.
- 1.2 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 (see signed Records on file). The primary purpose of these meetings was to address the issues 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, 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 The Board should note that the prospective applicants have requested a determination as to whether an EIS is required to accompany any application for the proposed development. In addition as a result of potential transboundary issues arising the Board is required to formally conclude on whether the project is likely to have significant effects on the environment in another Member State of the EC (this will initiate certain statutory notification and consultation procedures by the applicants and the Board under the Act/Regulations should a planning application subsequently be lodged). Further there will also be certain requirements under the EIA process for the potential transboundary environmental effects of the entire project to be considered.
- 1.4 The North South Interconnector project has been designated as a Project of Common Interest in the first Union List created pursuant to the requirements of Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure. The Board will be aware that it has

been designated the Competent Authority to issue the Permit required for PCI's within the State. EirGrid have written to the Board under the provisions of that Regulation informing the Board of such. This report however only seeks to address the specific determination to be formally made by the Board on the subject matter of this pre application consultation request lodged under the provisions of s. 182E of the Act and whether or not this proposed development constitutes SI for the purposes of s. 182A requiring an application for approval direct to the Board (and related EIA matters).

2.0 PLANNING HISTORY

2.1 The following is brought to the Board's attention:-

- ^{SID} 17. VC0010 and ^{EIS} 02. VC0011 (SI pre application consultations): Construction of new 400kV overhead transmission line from Woodland Station Co Meath to the border with Northern Ireland at the townlands of Lemgare/Coolartragh, Co Monaghan via a new substation at Moyhill Co Meath near Kingscourt Co Cavan. The project comprises that portion of the overall planned Meath – Tyrone 400kV cross border electricity interconnector arising within the Republic of Ireland. Board determined on 4th December 2009 that the proposed development was strategic infrastructure and that the planning application should be made directly to An Bord Pleanála.
- 02. VA0006: S.I. Application lodged directly with the Board under provisions of s. 182A of the Act for Meath Tyrone 400kV interconnector including new sub station etc. Application withdrawn.
- 02. VS0002: Scoping opinion issued by Board on 11th December 2013 pursuant to a request by Eirgrid on information to be contained in an EIS relating to the proposed development constituting the North – South 400kV interconnector. The Board should note that the Written Opinion was also informed by consultation with and responses received from the Department of the Environment (Northern Ireland). Copy of Written Opinion contained on the Board's pre application consultation file.

3.0 THE PROPOSED DEVELOPMENT

3.1 The proposed development proposed to be lodged direct to the Board as S.I. as set out in the final pre application submissions (see EirGrid's Preferred Project Solution Report dated July 2013) includes:

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.

3.2 For the Board'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.

4.0 CONSULTATIONS – SUMMARY OF KEY ISSUES AND ADVICE

The key issues arising during consultations may be summarised as follows (the signed Records and associated documents provided by the prospective applicants should be consulted for further details). The Board should note that the pre application consultation process took place over a significant period of time. The submissions made and Written Records of the meetings reflect this and the applicants approach in 'refining' the project in light of emerging studies, assessments, research and policy.

- 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 Government policy and European context
- Established context of project within Grid 25 Strategy
- Status of Grid 25 document and need for its SEA (prospective applicants confirmed that SEA undertaken)
- Route re-evaluation and associated environmental assessments being carried out to inform the application supporting documentation/EIS
- Potential for scoping of EIS by Board (scoping sought and written opinion of the Board provided under ref. 02. VS0002)
- Potential difficulties in regard to access to lands to carry out development and to undertake necessary baseline surveys (any difficulties would be recorded in EIS). Applicants indicated that where access had continued to prove difficult alternatives were used including available baseline mapping, vantage point surveys from roads and fields, high resolution photography and LIDAR imagery and Department of Agriculture data
- Status of planning application lodged in Northern Ireland. Confirmed that original application lodged in December 2009 was subject to a Public Inquiry in March 2012 which was suspended as a result of a FI requirement. In April 2013 an additional application was lodged and in June 2013 a new EIS was lodged. A decision in 2014 may be expected and it may be that the proposed development will be under consideration both north and south at the same time
- Technological alternatives including alternative tower design and undergrounding of cables (not favoured by prospective applicants on grounds including environmental impact, cost and fault identification/servicing)
- Public and other consultations entered into in regard to the project and how evaluated including reference to Preliminary (2011) and Final Evaluation (2013) Reports and to publication of Preferred Project Solution Report (July 2013). The conclusions of the various assessments and consultations carried out were outlined and justifications for the design and routing was explained and reason for omission of the Kingscourt sub station given. This was based on grounds of demand for power in the economic circumstances and noting that the sub station was subject to considerably number of objections in the previous planning application. Clarification of why it had been omitted would be provided in the planning application
- Meetings discussed importance of explaining clearly in supporting documents the routing of line and siting of structures chosen and the balance and weighting achieved between avoidance of impacts on different receptors. An example was given in the northern section of the line where the route tended to follow higher ground thus potentially impacting to a greater degree on the landscape
- Given how application and EIS had been presented in the previous application it was confirmed that there would be a

consistent approach adopted throughout in the supporting application and EIS documents

- Board were updated on the various studies including Government appointed International Expert Commission to review on case of undergrounding line, the related Hearing of the Joint Oireachtas Committee on Communications, Natural Resources and Agriculture (June 2012) and Government Policy Statements issued in July 2012 on the Grid25 projects including North South Interconnector that they are vital developments for the regions and for the economy and society as a whole
- Preference of applicants in this case was 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. Should tower movements be required they would be subject of an application under s. 146B
- Confirmation that NIS will be submitted with application
- Gaeltacht areas to be identified along with noting associated procedures including for public notices in Irish. Certain parts of the supporting application/EIS documentation will be translated into Irish
- Meetings discussed extent and nature of documents, maps drawings including aerial photographs and information to be provided with the application and EIS including up to date base maps showing new M3 road
- Procedures reviewed with prospective applicants in regard to proposed developments likely to have significant effects on the environment of a transboundary State. Confirmation that the Board will conclude on this issue in addition to concluding on whether the proposed development constitutes S.I. A preliminary view was given that the proposed development was likely to have significant effects on the environment of a transboundary State. Prospective applicants were advised that no decision on the Board's S.I. application could be taken until such time as the views of the transboundary State had been received or the consultations had been completed
- Discussions on how entirety of environmental effects of Interconnector project would be assessed and dealt with in the application documentation. In this regard EirGrid indicated a Joint Environmental Report would be provided as proposed in the EC document Guidance on the Application of the Environmental Impact Assessment Procedure for Large Scale Trans-boundary Projects (2013)
- Applicants were advised of the Board's designation as Competent Authority for PCI's

5.0 STRATEGIC INFRASTRUCTURE – LEGAL PROVISIONS

5.1 Under section 182A(1) of the 2000 Act (inserted by section 4 of the 2006 Act) where an 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.

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.

In section 2(1) of the Electricity Regulation Act, 1999, "transmission" is defined in relation to electricity as meaning

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.

6.0 ASSESSMENT

6.1 Is the proposed development S.I.? Having regard to the above provisions I consider that this is a development for purposes of electricity transmission that falls directly within the terms of s.182A and requiring an application for approval direct to the Board. This is a conclusion previously reached by the Board under pre application consultation requests 17. VC0010 and 02. VC0011 and which resulted in the submission of (withdrawn) S.I. application 02. VA0006 direct to the Board for a similar development to that subject of this current pre application consultation.

6.2 Requirement for EIS/EIA: I am of the opinion that an EIS and EIA would be mandatory for the proposed development as it would constitute a project for the construction of an overhead electrical power line with a voltage of 220kv or more and a length of more than 15 kilometres as specified in Class 20 of Part 1 of Schedule 5

(Development for the Purposes of Part 10 – (EIA) of the Planning and Development Regulations. The prospective applicants have indicated that an NIS would also be submitted with the application.

- 6.3 Is the proposed development likely to cause significant effects on the environment in a transboundary State (Northern Ireland)?** Having regard to the nature, scale, extent and potential impacts of the proposed development which itself constitutes an interconnector project between two member States of the EC I consider that the prospective applicants should be informed that the proposed development would be likely to have significant effects on the environment in a transboundary State (Northern Ireland). The prospective applicants in their submissions to the Board as part of the pre application consultation process have concurred with this view (see submission received 13th December 2013) and particularly in areas relating to human beings, flora and fauna, landscape and material assets.

RECOMMENDATION

I recommend that the Board serve a notice on the prospective applicant advising that it is of the opinion that the proposed development constitutes a strategic infrastructure development under the terms of s. 182A of the Planning and Development Act, 2000 (as amended) and that an application for approval should be made directly to the Board. In addition I recommend that the Board directs that an EIA is mandatory in this case and therefore the application must be accompanied by an environmental impact statement. Furthermore I recommend that the Board direct that it is of the opinion that the proposed development is likely to cause significant effects on the environment in a transboundary State (Northern Ireland).

Reasons and Considerations

1. It is considered that the proposed development comprising the proposed 400kV North South electricity interconnector constitutes development that falls within the definition of electricity transmission and strategic infrastructure having regard to the definitions contained in s. 182A of the Planning and Development Act 2000 (as amended). An application for permission for the proposed development must therefore be made directly to An Bord Pleanála.
2. The proposed development comprising the proposed 400kV North South electricity interconnector would constitute a project for the construction of an overhead electrical power line with a voltage of 220kv or more and a length of more than 15 kilometres as specified in Class 20 of Part 1 of Schedule 5 (Development for the Purposes of Part 10 – (EIA) of the Planning and Development Regulations 2001 (as amended). It is considered that an EIA would therefore be mandatory

in this instance and therefore any application for approval to An Bord Pleanála for the proposed development must be accompanied by an EIS.

3. Having regard to the nature, scale, extent and potential impacts of the proposed development which itself is intended to form part of an interconnector between two member States of the EC it is considered that the proposed development comprising the proposed 400kV North South electricity interconnector constitutes development that would be likely to cause significant effects on the environment in a transboundary State (Northern Ireland).

Prescribed Bodies

- Minister for Arts, Heritage and the Gaeltacht, Development Applications Unit
- Minister for Communications, Energy and Natural Resources,
- The Environmental Protection Agency,
- Meath County Council,
- Cavan County Council
- Monaghan County Councils,
- National Roads Authority,
- An Chomhairle Ealaíon,
- Fáilte Ireland,
- An Taisce - the National Trust for Ireland,
- Heritage Council,
- Irish Aviation Authority,
- Údarás na Gaeltachta,
- Health Service Executive / Environmental Health Service,
- Commission for Energy Regulation,
- Inland Fisheries Ireland ,
- Iarnród Éireann,
- Railway Safety Commission,
- Border and Mid-East Regional Authorities
- Irish Water

Also:

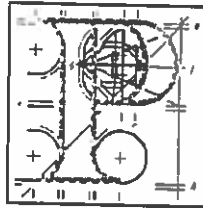
- Birdwatch Ireland
- Irish Peatland Conservation Council

Having regard to the potential of the proposed development to give rise to transboundary impacts, the comments of the Department of the Environment, (Northern Ireland), are required.

Philip Green
Assistant Director of Planning.

28th January 2014





Ref: PL02.VS0002

Prospective Applicant: Eirgrid Plc.

Local Authorities: Meath County Council
Cavan County Council
Monaghan County Council

Nature of Application: Written opinion on information to be contained in an EIS for a proposed 400kV North-South Electricity Interconnector.

Location: From an existing 400kV electricity substation at Woodlands, Co. Meath, to a planned substation at Turleenan, Co. Tyrone (NI). The route crosses the border with Northern Ireland in the townland of Lemgare, Co. Monaghan.

Inspector: Conor McGrath

Site inspection: 25/09/2013

Request for opinion on the information to be contained in the EIS for the proposed 400kV North-South Electricity Interconnector from the existing substation at Woodlands, Co. Meath to a planned substation at Turleenan, Co. Tyrone.

1.0 Introduction

The proposal comprises the development of part of a planned 400kV overhead power line linking an existing 400kV electricity substation at Woodlands, near Batterstown in Co. Meath with a planned substation at Turleenan, Co. Tyrone (NI), to provide a high capacity electricity transmission line / interconnector between Ireland and Northern Ireland. The subject proposal relates to that section of the development within the Republic, passing through the counties of Meath, Cavan and Monaghan over a distance of approx. 105km. The route crosses the border with Northern Ireland at Lemgare, Co. Monaghan. That section of the overall project occurring within Northern Ireland is approx. 40km in length.

In accordance with the provisions of Part 1 of Schedule 5 of the Planning and Development Regulations 2001 - 2013, an EIS is required in respect of development involving the "construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometers."

A request for an opinion on the information to be contained in the EIS for the proposed development was lodged by the prospective applicants, Eirgrid Plc, on 20/08/2013. The scoping request was referred by the Board to the prescribed bodies identified below and responses were received from those bodies highlighted in bold. The responses have been incorporated into the written opinion set out below and it is recommended that copies of the responses received be provided to the prospective applicants for information purposes.

Bodies Consulted:

- **Minister for Arts, Heritage and the Gaeltacht, Development Applications Unit**
- Minister for Communications, Energy and Natural Resources,
- **The Environmental Protection Agency,**
- **Meath County Council,**
- **Cavan County Council**
- **Monaghan County Councils,**
- **National Roads Authority,**
- An Chomhairle Ealaíon,

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- Fáilte Ireland,
 - An Taisce - the National Trust for Ireland,
 - Heritage Council,
 - Irish Aviation Authority,
 - Údarás na Gaeltachta,
 - Health Service Executive / Environmental Health Service,
 - Commission for Energy Regulation,
 - Inland Fisheries Ireland ,
 - Iarnród Éireann,
 - Railway Safety Commission,
 - Border and Mid-East Regional Authorities.

Also:

- Birdwatch Ireland
- Irish Peatland Conservation Council

Having regard to the potential of the proposed development to give rise to transboundary impacts, the comments of the **Department of the Environment, (Northern Ireland)**, were also requested. A response to this request was received on Monday 9th December.

2.0 WRITTEN OPINION

I recommend that the following written opinion on the information to be contained in the EIS be forwarded to the prospective applicants:

2.1 Introduction

The Environmental Impact Statement for the project must contain the information specified in Paragraph 1 of Schedule 6 of the Planning and Development Regulations 2001 – 2013, and the information specified in Paragraph 2 of Schedule 6 to the extent that this information is relevant to the nature of the development in question and to the environmental features likely to be affected. This shall include details of the environmental impacts during the construction and operational phases of the development and provide precise, clear and unambiguous mitigation measures where such are proposed, including an indication as to who has responsibility for the implementation of such measures, and for the monitoring of the impacts of the development.

The Environmental Impact Statement must contain a summary, in non-technical language of the information contained in the Environmental Impact Statement. The summary should contain an objective statement of the environmental effects of the development and all significant effects and

mitigation measures should be referred to therein. The description of the development to be contained in the non-technical summary should explain the proposals clearly and unambiguously in terms of their nature, scale and extent in order to allow the public to understand the EIA process and to make submissions in relation to the development.

Regard should be had to the guidance given for Type 20 projects outlined in the EPA document, *Advice Notes on Current Practice in the preparation of Environmental Impact Statements*. The Environmental Impact Statement in this case should, in particular, contain information on, and address the issues referred to below. Contributors to the EIS should be identified while any difficulties encountered in compiling the statement should be set out.

The Board note the previous application for a similar development under An Bord Pleanála ref. PL02.VA0006, which was the subject of an EIS. The applicants may wish to have regard to submissions made in relation to that application in preparing the subject EIS, insofar as they are relevant to effects on the environment.

2.2 Description of Development

- A full and detailed description of the nature, scale and extent of all aspects of the development, including development within Northern Ireland comprising part of this overall project.
- The description shall be provided in written form as well as by the provision of full and detailed scaled drawings, photographs and photomontages.
- The national / regional / local purpose or need for the proposed development should be identified, in conjunction with any relevant European, national, regional or local policies and/or objectives.
- The location of all proposed development between Woodlands, Co. Meath and Lemgare, Co. Monaghan should be clearly identified.
- The description of the construction phase should include a schedule of works, including timescales, and a construction methodology identifying any special work practices or application of specialised machinery / equipment. This should also address decommissioning works.

2.3 Alternatives:

An outline of the alternatives considered prior to the selection of the preferred development option. This should extend to each aspect of development, ranging from alternatives considered at national and regional levels, to design details at a local level, and should include:

- Alternative interconnection / network reinforcement options.

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- Alternative technologies, including the use of underground cables or partial undergrounding of the route.
 - Alternative corridor options at national, regional and local level, including the most direct route option.
 - Alternatives in terms of the design and scale of development / structures.
 - The requirement for the inclusion of a substation(s) along the route.
 - Alternative construction methodologies.

The EIS should provide a justification for the preferred route corridor, taking into account the effects on the environment, including the criteria applied in assessing the various alternatives considered. In this context, the likely significant effects on the environment of the various alternative options shall be considered.

If reference is to be made to previous reports not forming part of the EIS, the findings should be summarised and these documents provided as an appendix to the statement.

2.4 Receiving Environment

The receiving environment shall be defined to include all areas that would be impacted directly or indirectly by the proposed development. The information contained in the EIS should be based on comprehensive surveys of the area providing a thorough baseline assessment of the existing environment. The extent of baseline surveys undertaken should be identified, including the methodologies and practices applied.

2.5 Subject Areas

The following is not intended to be an exhaustive schedule of the information required to be contained within the EIS in accordance with the requirements of the Act. It highlights a range of issues that are considered necessary to be addressed to allow for the comprehensive assessment of the proposed development. The EIS should, in particular, cover the matters raised below:

2.5.1 Humans:

- The identification of potential impacts on settlement patterns along the route, including the identification of existing dwellings, community facilities or other public buildings such as schools, health care facilities etc., and any extant planning permissions for such development.

- An assessment of the impact on residential amenities arising from the construction and siting of support structures and overhead lines.
- The identification and assessment of likely operational impacts on residential amenity and human health, including impacts from noise and electromagnetic fields, based on recognised international standards. The assessment should have regard to the most recent epidemiological studies carried out internationally.
- Assess and compare the effects of above and below ground development alternatives.
- An assessment of the likely impacts on the linguistic or cultural heritage of the Gaeltacht area through which the route passes, or on the promotion of Irish as the community language.
- Any implications for, or impacts on, the local, regional or national economy.

2.5.2 Flora and Fauna:

- Baseline data should include an ecological survey of all works sites at an appropriate time of the year. Where ex-situ impacts are possible survey work may be required outside of the development sites.
- Assess the impacts on flora, fauna and habitats with particular regard to:
 - Natura 2000 sites and other (proposed) designated sites
 - Habitats and species listed on Annexes I, II and IV of the Habitats Directive;
 - Birds listed on Annex I of the Birds Directive and important habitats for birds including nesting, feeding / wintering areas and flight corridors.
 - Habitats that can be considered to be corridors or stepping stones for the purpose of article 10 of the Habitats Directive;
 - Other species protected under the Wildlife Acts, Red Data Book species; and biodiversity in general.
 - The assessment should include the indirect effects of construction activity, including construction access, as well as long-term impacts in terms of fragmentation and severance.
- An assessment of potential impacts on the aquatic environment during construction and operation, including impacts on water table levels or groundwater flow which may impact on wetland sites some distance away.
- Any proposed mitigation measures should be identified in a construction management plan which must be included as part of the EIS / NIS.
- The EIS should address the issue of invasive alien plant and animal species, and methods to ensure they are not introduced or spread.
- An assessment of the extent and cumulative impact of hedgerow removal or linear woodland loss along the route. Mitigation should

include suitable planting of native species and timing of works outside the nesting season.

- Identify any requirement for licenses or derogations arising.

2.5.3 Soil:

- An assessment of potential soil erosion, particularly where it affects priority habitats, designated conservation areas, and in the vicinity of surface waterbodies.
- Submission of a construction method statement, identifying areas of particular sensitivity which require specific construction mitigation measures, including areas of peat.
- Identification and assessment of potential impacts on sites of geological heritage interest, including Altmush Stream and Galtrim Moraine.

2.5.4 Water

- Identification and assessment of the potential water quality impacts of excavation and construction activities proximate to or across watercourses along the route corridor, inclusive of the effects of nutrient release from site clearance or vegetation decomposition.
- An assessment of the potential hydrogeological impacts, including potential impacts on wetlands and drinking water sources.
- Submission of a construction method statement and management plan addressing potential impacts on water quality, including measures to protect water quality when diverting field drains or pumping groundwater which may impact on watercourses some distance away.

2.5.5 Air and Climate:

- Air and Climate: Minor issues not requiring significant studies.
- Noise: Description and assessment of the noise environment at construction and operational phases, clearly measurable against the existing ambient noise environment

2.5.6 Landscape:

- An overview of defined landscape character areas affected, having regard to the landscape character assessments which inform the development plans for each county through which the route passes.
- Identify the area of visual influence of the development.
- Assess impacts on landscape character and visual amenities, having particular regard to designated landscapes and views of amenity value

including protected views / scenic routes and on the setting of the main tourism assets.

- Regard should be had to the impacts of the development on the character and setting of sites of cultural and historic interest and on historic landscapes, including for example Bective Abbey, Donaghpatrick, Teltown.
- Identify historic demesne landscapes along the route and assess potential impacts thereon.
- The visual impacts of the development should be demonstrated by the submission of a series of scaled and accurate photomontages of all elements of the proposal, to include impacts on protected views / scenic routes.
- The potential for alternative routing or partial undergrounding in sensitive landscape areas should be addressed.
- Where separation between towers is reduced below average with resulting visual impacts, the rationale for the route / design approach adopted should be identified.
- Regard should be had to the cumulative visual and landscape impacts of the development with the existing and proposed 110kV and 220kV network in the area and other existing and permitted developments as appropriate.

2.5.7 Material Assets:

- Identify the enhancements to existing electricity network infrastructure.
- Identify and assess public road crossings, including the construction methodology. Particular regard should be had to the relationship with the national primary and secondary road network and with the proposed Leinster Orbital Route, to include issues of clearance and separation.
- Information on the likely effects on public utilities and services along the route corridor, and in particular any proposed re-routing of overhead electricity lines.
- A construction traffic management plan will be required, which should address stringing operations, road closures / detours and impacts on railway infrastructure.
- Identify the means of access for construction and on-going maintenance and the treatment of new or widened construction entrances.
- Assess the likely land use impacts, including restrictions on existing uses such as agriculture or commercial forestry.
- An assessment of the likely effects on the amenity / tourism value of the area, including designated tourist routes (e.g. the Monaghan Way) and possible impacts on fishing and fisheries tourism.
- Address impacts on the potential future use of disused railways.

-
- Assessment of potential impacts on aviation transport, including impacts on Trim airfield.

2.5.8 Cultural Heritage:

- Identification and assessment of potential impacts on archaeological heritage, including an appraisal of all recorded monuments potentially impacted on during construction activities and an assessment of the visual impact on listed sites. This should include impacts on the character and setting of features of interest as well as the relationship between sites.
- Particular areas of social, cultural and historic interest to be considered include Bective Abbey, Donaghpatrick, Teltown Zone of Archaeological Amenity, Muff Crossroads.
- Identify any pre-application archaeological excavations or site investigations undertaken. Describe the rationale for the approach adopted with regard to such pre-application investigations, particularly for areas of known archaeological potential.
- Identification and assessment of the effects on architectural heritage in the vicinity of the route corridor, including potential impacts on historic buildings or structures and their setting, and demesne landscapes. This should include Brittas House, where the line crosses the driveway, and views to and from Whitewood House.
- The indirect effects of construction activity, including construction access / routes, on structures and building should be considered.
- The impact on longer views from sites of national importance and significance should be considered and assessed.

2.5.9 Transboundary effects:

This written opinion refers to the scoping request submitted to the Board on 20/08/2013 in relation to that part of the overall project occurring within the Republic of Ireland.

The nature of the project, however, gives rise to a requirement to consider the issue of potential transboundary impacts. Regard should therefore be had to the provisions of the European Commission document, *"Guidance on the Application of the Environmental Impact Assessment Procedure for Large-scale Transboundary Projects"* (2013). In particular the prospective applicants are advised that while they are required to comply with national EIA requirements for each jurisdiction, they should also prepare a joint environmental report that covers the whole project and assesses its overall effects, in particular cumulative and significant adverse transboundary effects. This joint report should ensure the implementation of a common

approach and methodology for the identification and assessment of impacts arising across the overall project.

Many of the comments contained in this written opinion are relevant to the assessment of the impacts of those sections of the project proposed within the jurisdiction of Northern Ireland. The prospective applicants are, however, advised to consult with the relevant authorities in Northern Ireland with regard to the information to be contained in the EIS. The EIS should identify and assess any relevant projects occurring in Northern Ireland which could give rise to likely cumulative impacts, including that section of the proposed 400kV interconnector which occurs within Northern Ireland.

Notwithstanding the above, the prospective applicants are referred to the attached correspondence from the Department of the Environment (Northern Ireland), with respect to the information to be contained in the Environmental Impact Statement. This includes, in particular,

- The requirement for a comprehensive assessment of potential impacts on the historic environment of Northern Ireland, including impacts on known and previously unrecorded archaeology, and recommendations for mitigation measures.
- The methodology to be employed in the assessment of landscape and visual impacts of the proposed development.

2.6 Conclusion:

In the event of significant effects on the environment being identified, particularly in relation to the topics referred to above, the EIS should contain a clear description of the measures envisaged in order to avoid, reduce and, if possible, remedy any significant adverse effects identified. Baseline surveys should be undertaken over appropriate periods to provide sufficient information on potential impacts arising from the proposed development.

A summary of all proposed mitigation measures should be prepared, as an appendix to the EIS, which should identify the party responsible for the implementation of each measure. In the event of monitoring being proposed as mitigation, the EIS should identify relevant trigger levels and associated actions to be taken when those levels are exceeded.

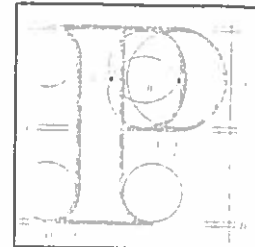
The Board notes that, as the Pre-Application Consultations have not concluded to date, other issues may arise at future meetings which may require consideration and which thereby may potentially affect the completeness of the Board's written opinion on the information to be contained in the Environmental Impact Statement, as set out above.

Note:

I recommend that copies of all of the submissions received from the parties from which observations were requested, identified below, should be circulated to the prospective applicants.

- Minister for Arts, Heritage and the Gaeltacht, Development Applications Unit
- The Environmental Protection Agency,
- Meath County Council,
- Cavan County Council
- Monaghan County Councils,
- National Roads Authority,
- Fáilte Ireland,
- An Taisce - the National Trust for Ireland,
- Health Service Executive / Environmental Health Service,
- Inland Fisheries Ireland.
- Department of the Environment (Northern Ireland).

Conor McGrath
Inspectorate



Des Cox
EirGrid
The Oval
160 Shelbourne Road
Ballsbridge
Dublin 4

10th February 2014

Re: North-South 400 kV Electricity Interconnector

Dear Sir,

Please be advised that following consultations under section 182E of the Planning and Development Act, 2000, as amended, the Board hereby serves notice that it is of the opinion that the proposed development falls within the scope of section 182A of the Planning and Development Act, 2000 as amended, and with particular regard to section 182A(9) of the said Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 182A of the Planning and Development Act, 2000, as amended. Any application for approval for the proposed development must therefore be made directly to An Bord Pleanála under section 182A(1) of the Act, and any application must be accompanied by an environmental impact statement.

Please note that it is the Board's opinion that significant effects are likely on the environment in a transboundary state (Northern Ireland). Also for your information, a list of the prescribed bodies relevant to this proposed development is enclosed.

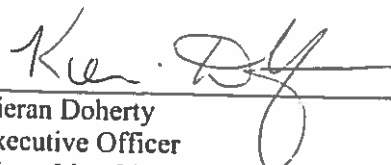
Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

Overleaf provides information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Kieran Doherty
Executive Officer
Direct Line: 01-8737248

Encls.

AHC/VA54.10.LTR

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Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Act, 2000, as amended

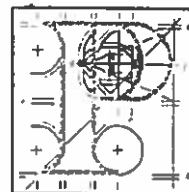
A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.



VC0054. North-South Electricity Interconnector Prescribed Bodies list

- Department of the Environment, (Northern Ireland)
- Minister for Arts, Heritage and the Gaeltacht, Development Applications Unit
- Minister for Communications, Energy and Natural Resources
- The Environmental Protection Agency
- Meath County Council,
- Cavan County Council
- Monaghan County Councils
- National Roads Authority
- An Chomhairle Ealaíon
- Fáilte Ireland,
- An Taisce - the National Trust for Ireland
- Heritage Council
- Irish Aviation Authority
- Údarás na Gaeltachta
- Health Service Executive
- Commission for Energy Regulation
- Inland Fisheries Ireland
- Iarnród Éireann
- Córas Iompair Éireann
- Railway Procurement Agency
- Railway Safety Commission
- Border and Mid-East Regional Authorities
- Irish Water
- Birdwatch Ireland
- Irish Peatland Conservation Council

Presentation of argument to Commission that the provisions of Article 19 of Regulation (EU) No. 347/2013 applies the North-South Interconnector between Member States UK (N. Ireland) and Republic of Ireland, listed as a PCI under that Regulation

Case made by An Bord Pleanála – Competent Authority for PCI in Republic of Ireland.

Proposal

The proposal is for a 400kV North-South interconnector from Woodlands substation Co. Meath (in the Republic of Ireland) to a proposed substation at Turleenenan, Co. Tyrone (in Northern Ireland).

This is a single circuit overhead transmission line approximately 139.1km in length. Approximately 105km of the line is in the Republic of Ireland and is supported by about 300 predominantly steel lattice structures. Approximately 34.1km of the line is in Northern Ireland and is to be supported by about 107 towers.

The interconnector project is a cross border project being undertaken by Northern Ireland Electricity (N. Ireland) and Eirgrid (R of Ireland).

Planning Applications

NORTHERN IRELAND

To date the following applications relating to this project have been submitted and are under consideration in Northern Ireland:

0/2009/0792/F – application for proposed development including substation, towers, overhead lines and associated development. The application was lodged on 15th December 2009 and a public inquiry commenced in March 2012. The inquiry was adjourned because of the need to seek further information.

0/2013/0214/F – second application relating specifically to works associated with the construction of the overhead lines and towers. The application was lodged on 30th April 2013 and a new Environmental Impact Statement was lodged in June 2013.

The applications were submitted to the Northern Ireland Planning Service.

The consolidated EIS submitted describes the proposal as a 400kV overhead line in Counties Tyrone and Armagh, and an associated 275/400kV substation in the townland of Turleenenan, Co. Tyrone. It forms the Northern Ireland element of the Interconnector being promoted by

NIE and Eirgrid to improve interconnection between the NIE transmission system in Northern Ireland and the ESB transmission system in the Republic of Ireland.

REPUBLIC OF IRELAND

To date the following planning history is relevant to the Republic of Ireland:

02.VA0006 – planning application made to An Bord Pleanála for Meath – Tyrone 400kV interconnector, including a new substation. The application was lodged with An Bord Pleanála on 18th December 2009 but was withdrawn before any determination was made.

02.VS0002 – an EIS scoping opinion issued by An Bord Pleanála in December 2013 pursuant to a request by Eirgrid on information to be contained in an EIS relating to proposed North – South Interconnector. The opinion issued was informed by consultation with and responses received from the DoE Northern Ireland.

02.VC0054 – pre-application consultations request received by An Bord Pleanála (consent authority) from Eirgrid in respect of a proposal for North – South Interconnector. Request lodged on 16th November 2010. Five meetings held – 2nd December 2010, 31st July 2013, 14th October 2013, 18th December 2013 and 23rd December 2013. These consultations are now closed and it is expected that an application for approval under the strategic infrastructure provisions of the Planning and Development Act 2000, as amended will be submitted shortly.

Regulation (EU) No 347/2013

UNION LIST

Under this Regulation the following is declared to be a 'Project of Common Interest' on the Union list of PCIs –

2.13.1 Ireland – United Kingdom interconnection between Woodland (IE) and Turleenan (UK – Northern Ireland).

The project is described as follows:

A new 400 kV AC single circuit (OHL) of 140 km and with a capacity of 1,500 MVA between Turleenan 400/275 kV in Northern Ireland (UK) to Woodland 400/220 kV (IE) (onshore).

CHAPTER III

Chapter III of the EU Regulation refers to 'Permit Granting and Public Participation'. The following Articles are contained within Chapter III:

- Article 7 'Priority Status' of projects of common interest.
- Article 8 Organisation of the permit granting process
- Article 9 Transparency and public participation
- Article 10 Duration and implementation of the permit granting process

ARTICLE 19

Article 19 of the EU Regulation refers to 'Transitional Provisions'. It states as follows:

For projects of common interest in the permit granting process for which a project promoter has submitted an application file before 16 November 2013, the provisions of Chapter III shall not apply.

Arguments for Applying Transitional Provisions of Article 19

1. The North – South Interconnector is a single project linking the Republic of Ireland and Northern Ireland. It is identified as such in the first Union list of PCIs drawn up under Regulation (EU) No 347/2013.
2. The project is being promoted jointly by Northern Ireland Electricity (NI) and Eirgrid (IE).
3. Applications by a joint project promoter have been lodged with the appropriate authority before 16 November 2013 in Northern Ireland.
4. Under Article 10 of Regulation (EU) No 347/2013 the permit granting process consists of two procedures – the pre-application procedure and the statutory permit granting procedure. Pre-application consultations (albeit not under this regulation but under National planning legislation) commenced in respect of this project (the section within the Republic of Ireland but with reference to cross-border impacts) in November 2010 (Reference 02.VC0054). These consultations are now completed.
5. A previous (but subsequently withdrawn) application was lodged within the Republic of Ireland for a North – South Interconnector.

6. As part of the pre-application consultation process An Bord Pleanála was informed of public consultations carried out by the prospective applicants.
7. Under the Electricity Regulation Act 1999 (Electricity) Levy Order 2011 (S.I. No. 646/2011) in the Republic of Ireland an "interconnector" is defined as meaning equipment used to link the electricity system of the State to electricity systems outside the State. The North – South Interconnector is a single project aimed at performing this function.
8. A transboundary *Joint Environmental Report* setting out the transboundary environmental evaluation and assessment in both Member States will be submitted with the application made to the competent authority in the Republic of Ireland highlighting that it is a single project. This will also facilitate a holistic approach to environmental impact assessment for the project.
9. The 'Questions and Answers' on the Commission website at 1.1 provides that D G Energy considers that it is sufficient to demonstrate that the application was lodged with any one of the competent authorities in either of the Member States for the Article 19 provisions concerning the non-applicability of Chapter III to apply.

Counter Argument

1. No "live" planning application in respect of any portion of the project exists in the Republic of Ireland at this stage. However, pre-application consultations in respect to the North-South Interconnector have been ongoing for in excess of 3 years (Reference 02.VC0054). These have been completed.

Des Johnson

Director of Planning

An Bord Pleanála

6th February 2014.

**Note of Meeting with DG – Energy in Brussels
on 11th February, 2014
concerning Projects of Common Interest**

Present

An Bord Pleanála

Des Johnson (Director of Planning)
Philip Green (Assistant Director of Planning)
Diarmuid Collins (Senior Administrative Officer)

DG – Energy

Olgerts Viksne

Adam Romanowski

1. The DoP thanked the DG – Energy for the meeting and then outlined the reasoning (which had been sent in advance) in relation to the Board's preliminary view that the N-S Interconnector as a PCI would come within the transitional provisions of Article 19 of Regulation 347/2013 and that the provisions of Chapter III would, accordingly, not apply.
2. The DoP also cited the project description of the N-S Interconnector as given in the Union's List and queried if the project was "undergrounded" would it remain as a PCI? In response to this point, the DG – Energy cited Article 7.1 of the Regulation and said that the project would remain a PCI whether overground or underground.
3. DG – Energy asked if the project, on the basis of the public participation measures already undertaken, could advance directly to the statutory phase of the process?

The Board questioned if such an approach could be taken as the pre-application process in the SI national legislation appeared significantly different to the pre-application process in the Regulation. Ultimately this would be a matter for An Bord Pleanála, as competent authority, to decide.

4. DG – Energy stated, in response to the arguments advanced by the Board in relation to Article 19, that it saw the processes of permit granting in Member States as separate and not as one process. It expressed the preliminary view that an application would have had to be submitted in the Republic of Ireland before 16th November, 2013 for the Transitional Provisions to apply.
5. It was agreed that the Board would elaborate on its arguments and forward them with details of public participation measures undertaken by the project promoter as detailed in the pre-application consultation process and that following referral of the matter to DG – Energy legal section that a written reply would issue, within 2 weeks of receipt. The reply would give the general requirements in relation to Article 19.
6. The meeting then discussed a number of matters in relation to the preparation of a Manual, as required under Article 9 of the Regulation. The Board also asked the DG – Energy to consider the general issue of whether a material amendment to a PCI project would be required to go through the entire PCI process. DG – Energy is to consider the matter.

Des Johnson
Director of Planning

February, 2014.

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Files\Content.Outlook\1PQZ3JUN\Meeting with DG-Energy - 11 2 2014.doc

Philip Green

From: Diarmuid Collins
Sent: 29 April 2014 10:51
To: Philip Green
Subject: N-S (First Written Advice)

Hello Phil,

Here is the first written advice from DG-Energy.
D.Collins.

From: Olgerts.VIKSNE@ec.europa.eu [<mailto:Olgerts.VIKSNE@ec.europa.eu>]
Sent: 17 February 2014 10:37
To: Diarmuid Collins
Cc: Catharina.Sikow@ec.europa.eu; Adam.ROMANOWSKI@ec.europa.eu; Yona.MARINOVA@ec.europa.eu
Subject: RE: Meeting on designation of one-stop-shop

Dear Diarmuid,

In the meeting on 11th February 2014 we discussed the interpretation of Art. 19(2) of Regulation (EU) No 347/2013 and its application to your project (PCI No 2.13.1).

After consulting our legal experts in DG Energy we have come to the following result.

If a Project of Common Interest (PCI) is located in more than one Member State we have to look at each Member State separately regarding the fulfilment of the conditions of the Art. 19(2). Though the Regulation defines in Art. 10(1)(a) third subparagraph a common start of the pre-application phase for a PCI, it makes also clear that the separate steps of the permit granting process have to be carried out in each concerned Member State. The Member States in such cases shall coordinate their procedures (Art. 8(5)) and endeavour to align their timetables (Art. 10(4)(b)). The permit granting process ends with separate decisions made by the national competent authorities of the Member States concerned (Art. 8(3)). A Member State has also no obligation to await for the decision of the other Member State concerned. However, both have to respect the 3 years and 6 months deadline.

According to the information provided by you the application and the Environmental Impact Statement which concerned only the UK part of the project was submitted in Northern Ireland before 16th November 2013. Thus Chapter III of the Regulation would not apply for the permit granting procedure carried out for the UK part of the project. As regards the Irish part of the project the application file was not submitted before 16th November 2013. Therefore Chapter III of the Regulation applies for the permit granting procedure concerning the Irish part of the project.

Please note that this is merely a technical level analysis from our services and not an interpretation binding for the European Commission. If you require an official position of the Commission on the interpretation, we would have to submit the question to the Commission Legal Service. Such consultation will require some time.

Kind regards

Olgerts Viksne



European Commission

DG Energy

Unit B1 - Internal Market I: Networks & Regional Initiatives

DM24 06/031
B-1049 Brussels/Belgium
+32 2 296 04 68
olgerts.viksne@ec.europa.eu

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From: Diarmuid Collins [<mailto:D.Collins@pleanala.ie>]
Sent: Wednesday, February 12, 2014 12:50 PM
To: VIKSNE Olgerts (ENER)
Subject: RE: Meeting on designation of one-stop-shop

Hello Olgerts,

Thanks to you and Adam for the meeting yesterday.
we will get back to you.
Regards.
Diarmuid.



European Commission

FÓGRA RÚIN: Tá an ríomhphost seo agus aon chomhaid atá nasctha leis faoi rún agus dírithe amháin don seolaí. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bainisteoir an chórais.

Tabhair faoi deara le do thoil: aon tuairimí nochtaithe san ríomhphost seo is iad tuairimí an tseoltóra féin agus níl sé intuigthe gurb iad tuairimí An Bhoird Pleanála nó go gcloíonn siad le polasaithe ráite an Bhoird.

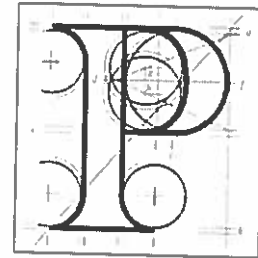
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Diarmuid Collins
Laps-Sids Section
Ext: 256

An Bord Pleanála



Olgerts Viksne
European Commission
DG Energy

10th March, 2014.

**Re: Regulation (EU) No. 347/2013 and interpretation of Article 19
(transitional provisions)**

Dear Olgerts,

I refer to our meeting in DG Energy, Brussels on 11th February 2014 at which An Bord Pleanála, as competent authority for the above Regulation, expressed its preliminary view that the proposed 400 kV North-South Interconnector (identified on the Union List as a (single) Project of Common Interest) appeared to fall within the transitional provisions of Article 19. We undertook to further expand on the reasoning leading to this preliminary view and to forward same to you. I now attach a copy of An Bord Pleanála's expanded reasoning that the transitional provisions of Article 19 may be applicable to this proposed project.

In preparing this submission we gave further consideration to your technical level analysis that the Article 19 provisions should not apply to the portion of the proposed interconnector project within the Republic of Ireland as "the application file was not submitted before 16th November 2013" but that the provisions would apply to the UK portion of the project. It is not clear to An Bord Pleanála if this analysis gave full consideration to the planning history of the project in the Republic, which included a previous application which was withdrawn before decision and, in respect of the current revised proposal (under the Irish State's strategic infrastructure provisions), pre-application consultations, associated scoping opinion in respect of Environmental Statement (EIS), and consultations with the planning authorities in

Northern Ireland. Furthermore, we have concerns that the 'splitting' of this single project for consent purposes may not be appropriate to this proposed project for other reasons which we detail in the attached submission.

We acknowledge that the views expressed in your email dated 17th February, 2014 are stated to be based on a "technical level analysis from our services and not an interpretation finding of the European Commission". We would be grateful to receive your considered opinion based on our expanded reasoning, which we undertook to provide and which is now attached.

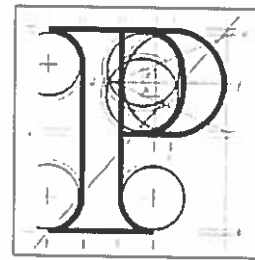
An Bord Pleanála, as competent authority, must ultimately decide on the applicability or otherwise of the Article 19 provisions of the Regulation. An Bord Pleanála does not seek to promote the proposed project, or the application or otherwise of these transitional provisions. The Board's decision in respect of Article 19 must be based on an objective interpretation of the provisions of the Regulation and must be robust. In this context we request your view having regard to the information now being forwarded to you.

Please find the following attached:

- Expanded case paper
- List of pre-application consultation file documents spreadsheet
- Sequence of events document

Please contact Diarmuid Collins (d.collins@pleanala.ie) should you require copies of any of the documents from the pre-application consultation file.

Des Johnson,
Director of Planning.



Presentation of reasoning to Commission that the transitional provisions of Article 19 of Regulation (EU) No. 347/2013 may be construed as applying to the North-South Interconnector between Member States UK (N. Ireland) and Republic of Ireland, listed as a PCI on the Union List under that Regulation, having regard to the spatial planning and environmental assessment background of this proposed project in both Member States.

Case made by An Bord Pleanála – Competent Authority for PCI in Republic of Ireland.

Precise Question to the Commission: Should an application to be lodged with An Bord Pleanála (competent authority for PCI in IE) for that section of the interconnector project falling within the Irish State be subject to the requirements of Chapter III of Regulation (EU) No. 347/2013

North – South Interconnector Project

This submission relates to a proposal for a 400kV North-South interconnector from Woodlands substation Co. Meath (in the Republic of Ireland) to a proposed substation at Turleenenan, Co. Tyrone (in Northern Ireland).

This is a single circuit overhead transmission line approximately 139.1km in length. Approximately 105km of the line is in the Republic of Ireland. Approximately 34.1km of the line is in Northern Ireland.

The interconnector proposal is a cross border project being promoted jointly by Northern Ireland Electricity (N. Ireland) and Eirgrid (R of Ireland). The proposed project is identified as a Project of Common Interest on the first Union List (reference no 2.13.1). The precise listing is given in the Appendix below.

Planning Background (full details given in the Appendix below)

To date two applications for permission for the interconnector have already been lodged within Northern Ireland. The first application, which was lodged in 2009, was subject to a Public Inquiry in March 2012, which was suspended as a result of a Further Information requirement. In April 2013 an additional application was lodged and in June 2013 a new EIS was lodged. The Inquiry is expected to be reconvened in 2014 and a decision in 2014 may be expected.

Following mandatory pre application consultations (ABP ref. VC0010 & VC0011) an application for permission for the portion of the proposed Interconnector project within the Irish State was lodged directly with An Bord Pleanála under the Strategic infrastructure provisions of the Planning and Development Act 2000, as amended, in December 2009 (ABP ref.VA0006) but withdrawn by the applicants in June 2010. Following withdrawal of this application a new pre application consultation process for the interconnector was commenced by Eirgrid with An Bord Pleanála in November 2010 (ABP ref. VC0054). This pre application procedure, which is a statutory part of the Strategic Infrastructure application process under Irish legislation, was completed in February 2014. Eirgrid have indicated that the subsequent application is expected to be lodged imminently. There is no current live application in respect of this proposed project in the Republic of Ireland.

The attachments to this submission include a list of documents associated with this most recent pre application consultation process including the Written Records of meetings with the prospective applicant. As part of this pre application consultation process, and amongst other matters, the Board also issued a scoping opinion on the information to be contained in the accompanying Environmental Impact Statement which was informed by consultation with the competent authority responsible in Northern Ireland and considered procedures relating to trans-boundary environmental effects, having regard to the nature of the project as an interconnector between two member States.

Case that the Requirements of Chapter III of the Regulation may not apply

An Bord Pleanála is of a preliminary view that this is a transitional project and that the transitional provisions of Article 19 of the Regulation may apply. This preliminary view is supported by the following points:-

1. The North – South Interconnector is a single project linking the Republic of Ireland and Northern Ireland. It is identified as a single project in the first Union list of PCIs drawn up under Regulation (EU) No. 347/2013.
2. By definition the proposed 'Interconnector' must be considered as a single project as it performs the function of linking the electricity of the State to electricity systems outside

the State. The North – South Interconnector is a single (indivisible) project proposed to link the electricity systems between Northern Ireland and the Republic of Ireland.

3. The consent procedure(s) for the North – South Interconnector will include assessment under the EU Environmental Impact Assessment Directive (2011/92/EU). This assessment will be holistic and will have to consider the cumulative effects on the environment of the entire project. A holistic approach to assessment of impacts on relevant Natura 2000 sites will also be required under the Habitats Directive (92/43/EEC).
4. The project is being promoted jointly by Northern Ireland Electricity (NI) and Eirgrid (IE). A project promoter (Northern Ireland Electricity) has submitted a planning application in respect of this PCI before 16th November 2013.
5. The project is a transitional project in the context of Regulation (EU) No. 347/2013 in that it crosses the period before and after the adoption of the Regulation. The project was conceived years before the adoption of Regulation, pre-application consultations in respect of the project were initiated 2.5 years before the adoption of the Regulation, an application was made in respect of portion (NI) of the project approximately 4 years ago and this is still extant, and a second application relating to the project was submitted to the appropriate authority in NI in the middle of 2013 (before the 16th November 2013 deadline) and this is currently also under consideration. An application was also made in the Republic of Ireland in respect of a North-South Interconnector in December 2009 following pre-application consultations. This was withdrawn during a 23 day Oral Hearing in June 2010 following identification of a discrepancy in the public notice.
6. Article 10 of the Regulation defines the permit granting process as consisting of two procedures – the pre-application procedure and the statutory permit granting procedure. This is similar to the process for strategic infrastructure as set out in the Republic of Ireland's domestic planning legislation where pre-application consultations are mandatory before the submission of a formal application. Pre-application consultations commenced between Eirgrid (project joint promoters) and An Bord Pleanála (consent authority) in 2010 in relation to the current PCI and have only just concluded. As such, the permit granting process (as defined in the EU Regulation) in the Republic of Ireland commenced over three years ago.
7. The pre-application consultations in the Republic of Ireland included advice given by the consent authority in respect of requirements for public consultations, and reporting back by the prospective applicants of public consultations carried out.
8. The 'splitting' of this single PCI project by requiring portion to be subject to the requirements of Chapter III of the Regulation while another portion does not have to meet these requirements may leave the overall consent process open to legal challenge.

Specific requirements in respect of public participation, as set out in the Regulation, would have to be satisfied for one portion of the project but not the other portion. This may leave the process open to interpretation as 'project splitting'.

9. If this single PCI project is to be 'split' for consent purposes as described in 7 above, several of the requirements of the Regulation e.g. Articles 8(5), 9(5) and 10(4)(b) cannot be satisfied. This emphasises the transitional nature of this PCI project.
10. If this single PCI project is to be 'split' for consent purposes as described in 7 above, it is unclear how the advice given in the EC document *Guidance on the Application of the Environmental Impact Assessment Procedure for Large Scale Transboundary Projects*, particularly in respect of 'joint assessments' and 'effective cooperation and coordination' (see pages 3 and 13/14) can be complied with.

Conclusion

The preliminary view of An Bord Pleanála is based on consideration of the provisions of the Regulation combined with the points outlined above. Before deciding on the applicability (or otherwise) of the provisions of Article 19 of the Regulation in this case, An Bord Pleanála is seeking the interpretation of DG Energy.

While a requirement to apply the consent provisions of Chapter III of the Regulation would be likely to have significant implications for the timing of any application to the competent authority for the proposed North – South Interconnector, it is important that the competent authority's decision in relation to the appropriate consent process is firmly based and robust. An Bord Pleanála seeks the interpretation of DG Energy in informing this decision.

Des Johnson

Director of Planning

10th March 2014.

APPENDIX

Regulation (EU) No 347/2013

UNION LIST

Under this Regulation the following is declared to be a 'Project of Common Interest' on the Union list of PCIs –

2.13.1 Ireland – United Kingdom interconnection between Woodland (IE) and Turleenan (UK – Northern Ireland).

The project is described as follows:

A new 400 kV AC single circuit (OHL) of 140 km and with a capacity of 1,500 MVA between Turleenan 400/275 kV in Northern Ireland (UK) to Woodland 400/220 kV (IE) (onshore).

CHAPTER III

Chapter III of the EU Regulation refers to 'Permit Granting and Public Participation'. The following Articles are contained within Chapter III:

- Article 7 'Priority Status' of projects of common interest.
- Article 8 Organisation of the permit granting process
- Article 9 Transparency and public participation
- Article 10 Duration and implementation of the permit granting process

Planning Background

NORTHERN IRELAND

To date the following applications relating to this project have been submitted and are under consideration in Northern Ireland:

0/2009/0792/F – application for proposed development including substation, towers, overhead lines and associated development. The application was lodged on 15th December

2009 and a public inquiry commenced in March 2012. The inquiry was adjourned because of the need to seek further information.

0/2013/0214/F – second application relating specifically to works associated with the construction of the overhead lines and towers. The application was lodged on 30th April 2013 and a new Environmental Impact Statement was lodged in June 2013.

The applications were submitted to the Northern Ireland Planning Service.

The consolidated EIS submitted describes the proposal as a 400kV overhead line in Counties Tyrone and Armagh, and an associated 275/400kV substation in the townland of Turleenan, Co. Tyrone. It forms the Northern Ireland element of the Interconnector being promoted by NIE and Eirgrid to improve interconnection between the NIE transmission system in Northern Ireland and the ESB transmission system in the Republic of Ireland.

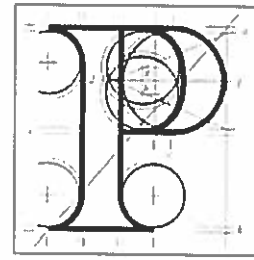
REPUBLIC OF IRELAND

To date the following planning history is relevant to the Republic of Ireland:

02.VA0006 – planning application made to An Bord Pleanála for Meath – Tyrone 400kV interconnector, including a new substation. The application was lodged with An Bord Pleanála on 18th December 2009 following pre-application consultations commenced in March 2009 (ABP ref. VC0010 & VC0011). During a 23 day Oral Hearing the application was withdrawn before a determination was made. The withdrawal was made following identification of a significant deficiency in the public notice.

02.VS0002 – an EIS scoping opinion issued by An Bord Pleanála in December 2013 pursuant to a request by Eirgrid on information to be contained in an EIS relating to proposed North – South Interconnector. The opinion issued was informed by consultation with and responses received from the DoE Northern Ireland.

02.VC0054 – pre-application consultations request received by An Bord Pleanála (consent authority) from Eirgrid in respect of a proposal for North – South Interconnector. Request lodged on 16th November 2010. Five meetings held – 2nd December 2010, 31st July 2013, 14th October 2013, 18th December 2013 and 23rd December 2013. These consultations are now closed and it is expected that an application for approval under the strategic infrastructure provisions of the Planning and Development Act 2000, as amended will be submitted shortly.



PCI North – South Interconnector Chronology of Events

15.12.09	Application submitted in Northern Ireland for northern portion of project
18.12.09	Application submitted to ABP for southern portion of project (subsequently withdrawn)
16.11.10	Eirgrid request for pre-application consultations under SI process
02.12.10	1 st pre-application consultation meeting under SI process
06.03.12	Public Inquiry commences in Northern Ireland
30.04.13	Second application submitted in Northern Ireland
21.06.13	Revised EIS submitted in Northern Ireland
11.12.13	ABP issues scoping opinion
15.01.14	Eirgrid submits queries to ABP in respect of PCI process
16.01.14	Eirgrid formally inform ABP the N-S Interconnector is a PCI
23.01.14	ABP meet Departments of Environment & Energy (DoE & DCENR)
23.01.14	Eirgrid request closure of pre-application consultations under SI process
27.01.14	Meeting with NI Department of the Environment, Belfast
04.02.14	Board decides that Interconnector is SID.
10.02.14	Board formally inform Eirgrid that Interconnector is SID
11.02.14	ABP meet with DG Energy in Brussels
17.02.14	DG Energy 'technical level analysis' interpretation sent to ABP by email
07.03.14	ABP elaborated submission forwarded to DG Energy by e mail


Philip Green

From: Diarmuid Collins
Sent: 29 April 2014 10:52
To: Philip Green
Subject: N-S (2nd Written Advice)

Hello Phil,

Here is the second written advice from DG-Energy.
D.Collins.

From: Olgerts.VIKSNE@ec.europa.eu [mailto:Olgerts.VIKSNE@ec.europa.eu]
Sent: 07 April 2014 10:25
To: Diarmuid Collins
Cc: Catharina.Sikow@ec.europa.eu; Adam.ROMANOWSKI@ec.europa.eu
Subject: RE: An Bord Pleanála and Regulation 347/2013

Dear Diarmuid,

You have asked for this clarification in relation to the planned electricity interconnector between Ireland and Northern Ireland (North-South interconnector) that is a project of common interest ("PCI", no. 2.13.1). According to the Irish authorities, the permit granting process in Ireland was started and the application file was submitted to the competent Irish authorities before 16 November 2013 but it was subsequently withdrawn by a project promoter before any determination was made by the relevant authorities. The application file was to be resubmitted shortly.

After consulting the Legal Service the Commission is of the opinion that the submission of an application file to the competent authority by a project promoter before 16 November 2013 is sufficient to fulfil the condition defined in Article 19, second paragraph of the TEN-E Regulation. The acceptance of the application file by the national authority is not required for that effect under the TEN-E Regulation.

Furthermore, a decision whether a subsequent withdrawal of the application file by a project promoter will render the application file non-submitted and thus Article 19, second paragraph of the TEN-E Regulation will not be applicable to such a case, will depend on a case-by-case analysis. It should be examined what a "withdrawal", according to the national rules applicable at the time of the submission of the file and in the specific context of a case, means. If a "withdrawal" is done for the purpose of submitting a different file that will require a new examination, then Article 19 will no longer be applicable. However, one should assess if a "withdrawal" of an application file in view of adding further information to the same file is not equivalent to a mere suspension of the first application, in which case Article 19 will be applicable. Consequently, the determination is always to be assessed on a case-by-case basis, taking into account the rationale of the transitional provisions laid down by Article 19 of the TEN-E Regulation.

I hope that this interpretation fully addresses your question and that Ireland will be able to proceed with the implementation of the North-South interconnector.

Kind regards

Olgerts Viksne



European Commission

DG Energy

Unit B1 - Internal Market I: Networks & Regional Initiatives

DM24 06/031
B-1049 Brussels/Belgium
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olgerts.viksne@ec.europa.eu

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From: Diarmuid Collins [<mailto:D.Collins@pleanala.ie>]
Sent: Monday, March 10, 2014 1:21 PM
To: VIKSNE Olgerts (ENER)
Subject: An Bord Pleanála and Regulation 347/2013

Hello Olgerts,

I refer to our meeting on 11/2/14 and your email of 17/2/14.
Details of our expanded reasoning of our preliminary view in relation to the transitional provisions of Article 19 of Regulation 347/2013 and the North-South Interconnector are attached.

Diarmuid Collins
Senior Administrative Officer
Strategic Infrastructure Development
& Local Authority Projects Section
An Bord Pleanála
64 Marlborough Street
Dublin 1
Tel: 01-8737256
Facs: 01-8722684

FÓGRA RÚIN: Tá an ríomhphost seo agus aon chomhaid atá nasctha leis faoi rún agus dírithe amháin don seolai. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bainisteoir an chórais.

Tabhair faoi deara led thoil: aon tuairimí nochtaithe san ríomhphost seo is iad tuairimí an tseoltóra féin agus níl sé intuigthe gurb iad tuairimí An Bhoird Pleanála nó go gcloíonn siad le polasaithe ráite an Bhoird.

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Diarmuid Collins
Laps-Sids Section
Ext: 256

AN BORD PLEANÁLA

PLANNING AND DEVELOPMENT ACTS 2000 TO 2009

NOTICE OF DIRECT PLANNING APPLICATION TO AN BORD PLEANÁLA
IN RESPECT OF A STRATEGIC INFRASTRUCTURE DEVELOPMENT

COUNTIES MEATH, CAVAN & MONAGHAN

In accordance with Section 182A of the Planning and Development Act 2000 as inserted by the Planning and Development (Strategic Infrastructure) Act 2006, EirGrid plc on behalf of ESB Networks gives notice of its intention to make an application for approval to An Bord Pleanála in relation to the proposed construction of that portion of the overall planned Meath - Tyrone 400 kV Interconnection Development within the Republic of Ireland. EirGrid plc is making the application on behalf of ESB Networks in accordance with clause 7.6 of the Infrastructure Agreement between EirGrid and ESB Networks under article 18 of SI No. 445/2000. The proposed development which is the subject of this application is part of a larger project comprising a strategic cross-border electricity interconnector (approximately 140 km long) linking the existing electricity transmission networks of Northern Ireland (via a proposed new substation at Turleean, Co Tyrone) and the Republic of Ireland (via the existing substation at Woodland, near Batterstown, Co Meath). The overall Meath - Tyrone 400 kV Interconnection Development comprises a transboundary development.

The proposed development which is the subject of this application comprises the following elements:

1. Addition to substation equipment and compound extension of ESB Woodland substation in the townland of Woodland, west of Batterstown, County Meath to include: construction of a new lattice steel gantry (31 m in height), cable sealing ends, surge arresters and 250 m length of 400 kV underground cable. The proposal includes a western extension of the existing substation compound of approximately 0.7 ha; including all associated construction and site development works and modifications to the palisade fence at the existing substation.
2. The addition of a 400 kV circuit along the currently unused (northern) side of the existing double circuit 400 kV overhead transmission line between the substation at Woodland, Co Meath, and a point near the townland boundaries of Bogganstown and Curraghtown (approximately 2.8 km), crossing the following townlands in Co Meath: Woodland, Creemore, Hayestown, Curraghtown and Bogganstown;
3. A new single circuit 400 kV overhead transmission line (approximately 55 km), and associated structures, extending from a point near the townland boundaries of Bogganstown (ED Culmullin) and Curraghtown, Co Meath to a proposed new 400 kV double circuit tower in the townland of Clonturk, Co Cavan. The proposed transmission line, associated towers (ranging in height from 29 - 44 m) and other ancillary structures, generally run along a northern alignment through the following townlands in County Meath: Curraghtown, Woodtown (ED Culmullin), Culmullin, Derrypatrick, Martinstown (ED Galtrim), Galtrim, Boycetown, Branganstown, Walterstown, Knockstown or Marshallstown (ED Galtrim), Ardbracken or Wrightown, Creeroge, Finlaghtown Little, Knockstown (ED Kilmessan), Trubley, Rathnally, Dunganey, Balbrigh, Dunalough, Rataine, Philipstown (ED Galtrim), Churchtown, Halltown, Irishtown (ED Ardbraccan), Ongenstown, Betaghstown (ED Ardbraccan), Nellistown (ED Ardbraccan), Durhamstown, Grange (ED Ardbraccan), Tankardstown (ED Ardbraccan), Nellistown (ED Ardbraccan), Durhamstown, Grange (ED Ardbraccan), Tankardstown (ED Ardbraccan), Castle Martin, Teltown, Gibstown Demesne, Oristown (ED Teltown), Clongill, Fletcherstown, Dowdstown (ED Castletown), Mountainstown, Drakerath, Clooney, Raffin, Rahod, Moynagh, Brittas, Altmush (ED Cruicetown), Cruicetown (ED Cruicetown), Boynagh (ED Kilmahnam), Eden, Towas, Shancor, Aghamore, Lislea, Tullyweel, Moorlagh; and the following townlands in County Cavan: Balloughly, and Clonturk;
4. A new 400 kV substation, including all associated structures, site development and landscaping works (including proprietary waste water treatment system and percolation area, compound perimeter palisade fencing and appropriate site boundary treatment), in the townland of Moyhill, Co Meath, located within a total site area of approximately 16.8 hectares. Two options for substation design are proposed. The first option is an Air Insulated Switchgear (AIS) substation, comprising control buildings (totalling approximately 485 sq m and approximately 5 m in height), and associated electrical equipment and structures (with a maximum height of 29 m), all within a compound of approximately 5.3 ha. This option requires the demolition of an existing habitable house. The second option is a Gas Insulated Switchgear (GIS) substation comprising a 220 kV switchgear/control building (totalling 677 sq m and with a maximum height of 11 m), a 400 kV switchgear building (totalling 519 sq m and with a maximum height of 13 m), and associated electrical equipment and structures (with a maximum height of 27 m) within a compound of approximately 1 ha. Both design options provide for a new vehicular access point onto the L-28043-1 road and new internal access road;
5. A diversion of the existing 220 kV Flagford - Louth overhead transmission line consisting of a new double circuit 220 kV overhead transmission line (approximately 2.3 km long), and associated structures, extending from a point at the townland of Carrowreagh, Co Cavan into the proposed new Moyhill 400 kV Substation, Co Meath. The proposed diverted line and associated towers (ranging in height from 21 - 55 m), and will follow an alignment through the townland of Moyhill Co. Meath and the townlands of Drumbar (ED Enniskeen) and Carrowreagh Co Cavan.

at Woodland
2.8 km
55 km
29-44m ht. towers
New Subst
Moyhill Co Meath
2.3 km
21-55m ht. towers

AN BORD PLEANÁLA

NA HACHTANNA UM PLEANÁIL AGUS FORBAIRT 2000 go 2009

FÓGRA FAOI IARRATAS DÍREACH PLEANÁLA CHUIG AN mBORD PLEANÁLA
I LEITH FORBAIRT BONNEAGAIR STRAITÉISIGH

CONTAETHA NA MÍ, AN CHABHÁIN AGUS MHUINEACHÁIN

De réir ailt 182A den Acht um Pleanáil agus Forbairt, 2000, a cuireadh isteach leis an Acht um Pleanáil agus Forbairt (Bonneagar Straitéiseach), 2006, tugann EirGrid plc thar ceann Linnraí BSL fógra faoina rún iarratas a chur isteach ar Chéadú chuig an mBord Pleanála i leith thógáil bheartaíthe na coda sin d'Fhorbairt lóimán idirnasctha 400kV na Mí-Thir Eoghain a bheartaítear i bPoblacht na hÉireann. Tá an forbairt a bheartaítear is ábhar don iarratas seo ina cuid de thionscadal níos mó lena mbaileann idirnasctha straitéiseach leictreachais trasteorann (tuairim is 140km ar fad) a nascaídh na gréasáin tarchuir leictreachais atá i dTuaisceart Éireann (trí fhóistáisiún nua a bheartaítear ag Turleean, Contae Thír Eoghain) agus na gréasáin tarchuir leictreachais atá i bPoblacht na hÉireann lena chéile (tríd an bhfóistáisiún atá i bhFearann na Colle, i ngar do Bhaile an Bhóthair, Contae na Mí). Is forbairt trasteorann í Forbairt lóimán idirnasctha 400kV na Mí-Thir Eoghain.

Tá na gréithe seo a leanas san áireamh san fhorbairt a bheartaítear is ábhar don iarratas seo:

1. Aireofar a leanas leis na hollbreacha ar an réadmhaoin lóimán de chuid BSL, fóistáisiún Fhearann na Colle, i mbaile fearainn Fhearann na Colle, siar ó Bhaile an Bhóthair, Contae na Mí: tógáil droichid nua chruach laistise (31m ar airde), ceannasáil cáblaí, coscairí borrla agus 250m de chábla 400kV faoin talamh. Tá sinedh siar bhábhún an fhóistáisiúin atá ann (tuairim is 0.7ha) san áireamh sa tógra, lena n-áirítear an tógáil uile agus na hollbreacha uile ar fhorbairt an tsuímh lena mbaileann, chomh maith le mionathruithe ar an sóinigh ag an bhfóistáisiún atá ann.
2. Giorcad 400kV feadh an taobh (thuaith) den líne tharchuir lasairde 400kV atá ann nach n-úsáidtear agus ag a bhfuil giorcad dubailte idir an fhóistáisiún ag Fearann na Colle, Contae na Mí, agus pointe i ngar do theorainneacha bhaile fearainn Bogganstown agus Curraghtown (tuairim is 2.8km), a thrasnóidh na bailte fearainn a leanas i gContae na Mí: Fearann na Colle, Creemore, Hayestown, Curraghtown agus Bogganstown;
3. Líne nua tharchuir lasairde 400kV ag a bhfuil giorcad singil (tuairim is 55km), agus struchtúir lena mbaileann, ó phointe i ngar do theorainneacha bhaile fearainn Bogganstown (toghroinn Chulmullin) agus Curraghtown, Contae na Mí go tús nua 400kV a bheartaítear ag a bhfuil giorcad dubailte i mbaile fearainn Clonturk, Contae an Chabháin. Go ginearálta, leanann an líne tharchuir a bheartaítear, na tús lena mbaileann (idir 29m agus 44m ar airde) agus struchtúir eile choilmhdeacha ailiú a thuairim is 0.7ha na bailte fearainn a leanas i gContae na Mí: Curraghtown, Baile na Colle (toghroinn Chulmullin), Cúl Mhaoláin, Derrypatrick, Baile Mháirín (toghroinn Ghaltrim), Galtir, Boycetown, Branganstown, Walterstown (toghroinn Ghaltrim), Crumpstown nó Marshallstown (toghroinn Ghaltrim), Ardbracken nó Wrightown, Creeroge, Finlaghtown Little, Knockstown (toghroinn Chill Mheasáin), Trubley, Rath an Eallaigh, Dunganey, Balbrigh, Dunalough, Rataine, Philipstown (toghroinn Chluain Mhic Duibh), Baile an Teampall, Halltown, an Baile Gaelach (toghroinn Ard Breacáin), Ongenstown, Baile an Bhlaithigh (toghroinn Ard Breacáin), Nellistown (Ard Breacáin), Durhamstown, Grange (toghroinn Ard Breacáin), Tankardstown (toghroinn Ard Breacáin), Caisleán Mháirín, Taltin, Diméin Bhaile Ghib, Baile Orthal (toghroinn Thailtean), Cluain an Ghail, Fletcherstown, Dústún (toghroinn Bhaile an Chaisleáin), Mountaintown, Baile an Dracaigh, Clooney, Raffin, Rath Ud, Maigh nEach, Brittas, Altmush (toghroinn Bhaile Chrúis), Baile Chrúis (toghroinn Bhaile Chrúis), Bulonach (toghroinn Chill Mhaighneann), an téadan, Towas, Shancor, Aghamore, Lislea, Tullyweel, Moorlagh; agus na bailte fearainn a leanas i gContae an Chabháin: Balloughly, agus Clonturk;
4. Fóistáisiún nua 400kV, lena n-áirítear gach struchtúir lena mbaileann, forbairt suímh agus oibreacha tírdhealachaithe (lena n-áirítear córas dlíthe cóireála tuoilúisce agus limistéar síothlaith, sonnach timpeall an bhábhúin agus cóireál chuí ar theorainn suímh), i mbaile fearainn Mhaolta, Contae na Mí, suite laistigh de limistéar lóimán suímh de thairim is 16.8 heictear. Beartaítear dhá rogha i dtaca le deardh fóistáisiúin. Is í an chéadrogha fóistáisiún Lascthealaimh Aerinslithe (AIS), ina mbeidh foirgnimh rialála (tuairim is 465 méadar cearnach agus tuairim is 5m ar airde san iomlán), agus trealamh leictreach agus struchtúir lena mbaileann (uasairde 29m), laistigh de bhábhún de thairim is 5.3 heictear. Ní mór teach ináitithe atá ann a leagan má roghnaítear an rogha seo. Is í an dara rogha fóistáisiún Lascthealaimh Gásinslithe (GIS) ina mbeidh foirgneamh 220kV lascthealaimh/rialála (677 méadar cearnach agus uasairde 11m ar airde san iomlán), foirgneamh lascthealaimh 400kV (519 méadar cearnach agus uasairde 13m san iomlán) agus trealamh leictreach agus struchtúir lena mbaileann (uasairde 27m), laistigh de bhábhún de thairim is heictear aonháin. Foráiltear pointe nua rochtana d'fheithicil ar an mbothar, L-28043-1, agus bóthar nua rochtana imheánaí sa dá rogha dhearaidh;
5. Líne tharchuir lasairde 200kV Chollín an Triain-Lú lena mbaileann líne nua tharchuir lasairde 220kV ag a bhfuil giorcad dubailte (tuairim is 2.3km ar fad) a chur ar mhálairt síl, agus struchtúir lena mbaileann, ó phointe i ngar do bhaile fearainn Carrowreagh, Contae an Chabháin a thad le Fóistáisiún nua 400kV a bheartaítear i Maolta i gContae na Mí. Leanfaidh an líne ar mhálairt síl a bheartaítear agus na tús lena mbaileann (idir 21m agus 55m ar airde) ailiú trí bhaile fearainn Mhaolta i gContae na Mí agus trí bhaile fearainn Drumbar (toghroinn Inis Caoin) agus Carrowreagh i gContae an Chabháin;

- 24-68 m tower
 446 km
 21-37 m tower
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 and 10
 80 M

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3/3

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7

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Ant. Dis.

AN BORD PLEANÁLA

Planning and Development Acts 2000 to 2014

NOTICE OF APPLICATION FOR APPROVAL TO AN BORD PLEANÁLA IN RESPECT OF A PROPOSED ELECTRICITY TRANSMISSION DEVELOPMENT

Monaghan, Cavan and Meath County Councils

In accordance with Section 182A of the Planning and Development Act, 2000 (as amended), EirGrid plc, with the consent and approval of the Electricity Supply Board (ESB), gives notice that it proposes to seek the approval of An Bord Pleanála for the development of that portion of a cross-border electricity transmission interconnector to be constructed within Ireland (and referred to as the 'proposed North-South 400 kV Interconnection Development').

The overall proposed interconnector (approximately 138km long) will link the existing electricity transmission networks of Northern Ireland and Ireland between Turleenan, County Tyrone and Woodland, near Batterstown, County Meath. The proposed interconnector has been designated as a Project of Common Interest (PCI) pursuant to the provisions of Regulation (EU) No. 347/2013 of the European Parliament and of the Council of 17th April 2013 on guidelines for trans-European energy infrastructure.

The proposed North-South 400 kV Interconnection Development, which will be the subject of an application for approval, consists of the following principal elements:

- 10-5
- (i) A new single circuit 400 kV overhead transmission line (covering a distance of approximately 100.5km in the counties of Monaghan, Cavan and Meath) extending in a generally southerly alignment from a point at the jurisdictional border with Northern Ireland (in the townlands of Doohat or Crossreagh, County Armagh, and Lemgare, County Monaghan) to the townland of Bogganstown (Electoral District (ED) Culmullin), County Meath. In addition the proposed transmission line crosses the jurisdictional border with Northern Ireland at two points - from the townland of Lemgare, County Monaghan into the townland of Crossbane, County Armagh and back into the townland of Lemgare, County Monaghan. This transmission line comprises 299 No. new lattice steel support structures (ranging in height from approximately 26m to 43m over ground level), with associated conductors, insulators, and other apparatus. The proposed new transmission line extends across the following townlands of County Monaghan, County Cavan and County Meath:

County Monaghan: Lemgare, Lisdrumgormly, Annaglogh, Latnakelly, Tassan, Cashel, Annagh (Cremorne Barony (By)), Carrickanure, Clarderry, Cornamucklagh North, Derryhallagh (Monaghan By), Drumroosk, Cargaghramer, Cornanure (Monaghan By), Rausker, Terrygreeghan, Cornamucklagh South, Crinkill, Clogher, Drumguillew Lower, Drumhawan, Greagh (Cremorne By), Brackly (Cremorne By), Tullynahinnera, Cooltrimegish, Boraghy, Aghmakerr, Drumillard (Cremorne By), Tooa, Tullyglass, Cornasassonagh, Corrinenty, Ummerafree, Sreenty, Ardragh, Corvally (Farney By), Raferagh, Cornalaragh, Doagh, Corlea (ED Drumcarrow), Scalkill and Ballaghnamearn.

County Cavan: Lisagoan, Drumiller, Corlea (Clankee By), Cornamagh, Corglass (ED Lisagoan), Collops, Dingin, Corrycholman, Leiter (ED Lisagoan), Cordoagh (ED Enniskeen), Laragh, Corraneary (ED Enniskeen), Carrowreagh, Clonturkan and Balloughly.

County Meath: Boherlea, Moorlagh, Tullyweel, Lislea, Aghamore, Shancor, Towas, Eden, Boynagh (ED Kilmainham), Altmush (ED Cruicetown), Cruicetown (ED Cruicetown), Brittas, Rahood, Raffin, Clooney, Drakerath, Mountainstown, Dowdstown (ED Castletown), Fletcherstown, Cluain an Ghaill (Clongill), Baile Órthai (Oristown), Diméin Bhaile Ghib (Gibstown Demesne), Tailtin (Teltown), Castlemartin, Tankardstown (ED Ardraccon), Grange (ED Ardraccon), Durhamstown, Neillstown (ED Ardraccon), Betaghstown (ED Ardraccon), Ongenstown (ED Ardraccon), Irishtown (ED Ardraccon), Halltown, Churchtown, Philpotstown (ED Bective), Rataine, Dunlough, Balbrigh, Dunganny, Rathnally, Trubley, Knockstown (ED Kilcooly), Knockstown (ED Kilmessan), Creroge, Crumpstown or Marshallstown (ED Galtrim), Branganstown, Boycetown, Galtrim, Martinstown (ED Galtrim), Derrypatrick, Culmullin, Woodtown (ED Culmullin), Curraghtown (ED Culmullin), and Bogganstown (ED Culmullin).

The proposed development comprises development that the applicant proposes to carry out in a Gaeltacht area, located in the townlands of Cluain an Ghaill (Clongill), Baile Órthai (Oristown), Diméin Bhaile Ghib (Gibstown Demesne) and Tailtin (Teltown), all in County Meath.

- 2-85
- (ii) The addition of a new 400 kV circuit for approximately 2.85km along the currently unused northern side of the existing Oldstreet to Woodland 400 kV transmission line, extending eastwards from the townland of Bogganstown (ED Culmullin) to the existing ESB Woodland Substation, in the townland of Woodland, County Meath, and crossing the following townlands in County Meath: Bogganstown (ED Culmullin), Curraghtown (ED Culmullin), Hayestown, Creemore and Woodland. The existing double circuit lattice steel support structures along this existing line range in height from approximately 52m to 61m over ground level.
- at Woodlands
- (iii) Associated works on a site of approximately 0.544ha within and immediately adjacent to the existing ESB Woodland Substation, in the townland of Woodland, County Meath to include: a western extension of the existing compound (of approximately 0.231ha) including associated modifications to the existing 2.6m high palisade boundary fence; the addition of electrical equipment and apparatus including circuit breaker, current transformers, inductive voltage transformers, pole disconnectors, pantograph disconnecting switches, surge arresters, support insulators and support insulator bars (all ranging in height from approximately 7.4m to 13.7m); gantry structures (approximately 28m); and a lightning monopole (approximately 28m); and all associated ancillary construction and site development works.
- Site
- (iv) An associated temporary construction material storage yard to be located in the townlands of Monaltyduff and Monaltybane, Carrickmacross, County Monaghan, on a site of approximately 1.42ha, including associated site works, new site entrance onto the L4700 Local Road, and associated 2.6m high boundary palisade fencing.
- (v) All associated and ancillary development (including permanent and temporary construction and excavation works).

Both an Environmental Impact Statement (EIS) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development. In addition a Joint Environmental Report (JER) has been prepared by EirGrid plc and Northern Ireland Electricity in respect of the overall interconnector from County Tyrone to County Meath, having had regard to European Commission *Guidance on the Application of the Environmental Impact Assessment Procedure for Large-Scale Transboundary Projects* (May 2013).

The proposed development is likely to have significant effects on the environment of an area of a Member State of the European Union (i.e. Northern Ireland).

A copy of the application for approval (and the EIS, NIS and JER) may be inspected free of charge or purchased on payment of a specified fee (not exceeding the reasonable cost of making a copy) during public opening hours on Mondays to Fridays (excluding public holidays) for a period of seven weeks commencing on **XX March 2014** at the following locations:

- The Offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1,
- The Offices of Cavan County Council, Farnham Street, Cavan, County Cavan,
- The Offices of Meath County Council, County Hall, Navan, County Meath, and
- The Offices of Monaghan County Council, County Offices, The Glen, Glen Road, Monaghan, County Monaghan.

In addition, a copy of the application for approval and the EIS, NIS and JER may be inspected free of charge on request at the following locations over a period of seven weeks commencing on **XX March 2014**:

- The North-South Interconnection Information Centre, Carrickmacross Workhouse, Shercock Road, Carrickmacross, County Monaghan,
- The North-South Interconnection Information Centre, 10a Kennedy House, Kennedy Road, Navan, County Meath, and
- The North-South Interconnection Information Centre, Dun A Ri House Hotel, Station Road, Kingscourt, County Cavan.

To arrange to view the application documentation (including the EIS, NIS and JER), at the above locations, phone: Lo-Call 1890 25 26 90 (9am to 5pm Monday to Friday) or e-mail: northsouth@eirgrid.com.

The application documentation (including the EIS, NIS and JER) may also be viewed / downloaded at the following website: www.eirgridnorthsouthinterconnector.ie.

Submissions and observations may be made to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above mentioned period of seven weeks relating to:

- (i) The implications of the proposed development for proper planning and sustainable development in the areas concerned, and
- (ii) The likely effects on the environment or adverse effects on the integrity of a European site, of the proposed development, if carried out.

Any submissions and observations must be accompanied by a fee of €50 (except for certain prescribed authorities) and must be received by the Board not later than 5.30p.m. on **XX April 2014** and must include the following information:

- (i) The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- (ii) The subject matter of the submission or observation, and
- (iii) The reasons, considerations and arguments on which the submission or observation is based in full.

The Board may make the following types of decision, under section 182B of the Planning and Development Act, 2000 (as amended), in relation to the application:

- (a) Approve the proposed development,
- (b) Make such modifications to the proposed development as it specifies in the approval and approve the proposed development as so modified,
- (c) Approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
- (d) Refuse to approve the proposed development

and may attach to an approval under (a), (b), or (c) above such conditions as it considers appropriate.

A person may question the validity of any such decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts 1986 (S.I. No.15 of 1986), in accordance with the provisions of the Planning and Development Act, 2000 (as amended). Practical information on the review mechanism can be accessed under the heading Publications – Judicial Review Notice on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

Signed: _____

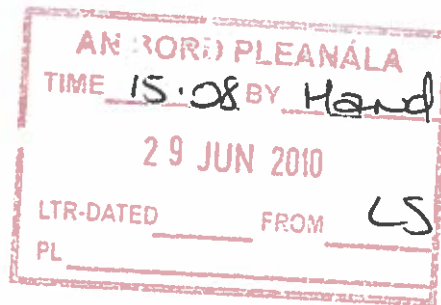
(On behalf of EirGrid plc)

RPS Planning and Environment,
West Pier Business Campus,
Dun Laoghaire,
County Dublin

Date of Publication of Notice: **XX February 2014**



29th June 2010



The Secretary
An Bord Pleanála
64-67, Marlborough Street
Dublin 1

By Hand

Re: An Bord Pleanála Reg. No. PL02.VA0006 Meath Tyrone 400 kV Interconnection Development

Dear Sir,

I refer to the current application for approval pursuant to section 182B the Planning and Development Act of 2000, as amended ("the 2000 Act").

On the 23rd of June 2010 (day 21 of the oral hearing) Councillor Bannigan drew the Inspectors' attention to an error in the public notice in relation to the heights of some of the towers in County Monaghan. That was the first time the issue had been raised at the oral hearing and the first time EirGrid became aware of the issue. Subsequently, on the afternoon of the 24th of June, the Inspectors made a statement in relation to the said error and asked the parties to consider the following matters:

- (a) how the conflict between pylon heights can be resolved having regard to section 182 (sic) and any other provisions of the 2000 Act;
- (b) how such conflict can be resolved for the purposes of public participation and the requirements of the Act.

EirGrid has carefully considered the above matters and the submissions made by the parties on the 28th of June 2010. EirGrid is of the view that the legislative scheme applicable to this development does not permit defects in the public notices to be cured.

EirGrid regrets both the fact that this inadvertent error occurred and the fact that it does not appear possible, under the current legislative scheme, to address the issue in the context of the current application.

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Ballsbridge Dublin 4

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Registered in Ireland No. 338522 V.A.T No IE 6358522H

www.eirgrid.com

In the circumstances, EirGrid takes the view that it has no option but to withdraw its application. Therefore, I hereby give notice, pursuant to section 140 of the 2000 Act, of EirGrid's withdrawal of its application for approval.

I would be grateful if you could confirm receipt of this letter in writing at your earliest convenience.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Niamh Cahill', written in a cursive style.

Niamh Cahill
Company Secretary / Company Lawyer
EirGrid plc