



An
Bord
Pleanála

Inspector's Report

PCI0004/ABP- 26.VC0102

To: Director of Planning

Report further to instruction from Director of Planning

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

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Planning and Development Act, 2000 (as amended)

PCI 0004 / ABP- 26.VC0102

Project promoter:	Greenlink Interconnector Limited
Issue:	Project of Common Interest (PCI)/ Strategic Infrastructure (S.I.) application – Notification submitted by Greenlink Interconnector Limited seeking 'Acknowledgement' of the project constituting that section of the project falling within the Irish State
Nature of Development:	Proposed Electricity Interconnector between Ireland and Wales from Great Island, Co. Wexford
Inspector:	Una Crosse

1.0 INTRODUCTION/BACKGROUND

- 1.1. I note An Bord Pleanála's PCI Unit has requested a recommendation as to whether Greenlink Interconnector Limited's Notification dated 21st May 2019 should be acknowledged or rejected on the basis of its 'maturity'. I note that the Regulation, Article 10.1(a) provides that if the project is rejected as not mature enough to enter the permit granting process that a justification be provided.
- 1.2. At the outset I would refer the Board to PCI0002 whereby it was previously determined that the project was not considered mature enough to enter the PCI process. I would also note that 2 pre-application meetings relating to the project were held in respect of the pre-application consultation request lodged with the Board on 18th November 2016 under the separate strategic infrastructure process, prior to the determination under PCI0002. Since that determination a meeting was held on 14 May 2019, with the project promoters, following receipt of information dated 9th January 2019. This strategic infrastructure process is ongoing and not yet concluded.

2.0 Greenlink Submission

- 2.1. In the documentation submitted to the PCI unit dated 21st May 2019 Greenlink makes the following case:
- Greenlink project is being developed by Greenlink Interconnector Limited, which is owned jointly by Element Power Holdings, part of Hudson Sustainable Investment, and Partners Group on behalf of its clients.
 - Greenlink is a proposed 500MW electricity interconnector linking the existing electricity grids in Ireland and Great Britain.
 - Proposal consists of two converter stations one close to the existing substation at Great Island in Wexford and the other close to the existing Pembroke substation in Pembrokeshire (Wales) connected by electricity cable running underground onshore and subsea offshore.
 - Onshore project elements in Ireland consist of a landfall site at Baginbun Beach, the converter station close to the existing Great Island substation and high voltage direct current (HVDC) electricity cables with a fibre optic cable for control

and communication purposes running underground to this converter station. Alternating current (AC) cables will connect the converter station to the substation.

- The European Union identified 248 energy infrastructure projects in the first PCI list. These PCI projects encompassed a range of network development, smart grids, energy storage and interconnector projects involving two or more EU Member-states. To ensure effective and efficient implementation of the projects, the European Commission is focusing on improving regional cooperation between Member States as part of the implementation of the PCI Regulation. Greenlink has been designated as a European Union Project of Common Interest (PCI project number 1.9.1) under these regulations.
- The project will be an interconnector project, for which consent will be required as Strategic Infrastructure under Section 182B of the Planning and Development Act 2000, as amended.
- An Bord Pleanála are the consent authority for the project elements in Ireland. The Welsh Government, the consent authority for the project elements in the UK, wrote to Greenlink on 26th October 2018 to confirm that the information provided is sufficient to enable them to acknowledge the notification and therefore the project can enter the permit granting process.
- Details on the consents deemed necessary for consideration for this project are included as Schedule 1 to the correspondence with the information provided to assist An Bord Pleanála finalise the Permit Granting Schedule.
- The following authorisations are stated to be required: Authorisation to Construct an interconnector under Section 16 of the Electricity Regulation Act 1999, Consent to Lay Electricity Lines Across Lands under Section 49 of the Electricity Regulation Act 1999, Consent to Lay Electricity Lines Under the Public Road under Section 48 of the Electricity Regulation Act 1999, and (if required) a Special Order for the Compulsory Acquisition of Lands for the Converter Station site under Section 45 of the Electricity (Supply) Act 1927, as amended by Section 47 of the Electricity Regulation Act 1999, will required to be issued by the Commission for the Regulation of Utilities.

- Foreshore License under Section 3(1) of the Foreshore Act 1933 as amended will be required which is issued by the Department of Housing, Planning and Local Government (Foreshore Unit).
- Greenlink is not EIA development within Ireland and the component parts of Greenlink (such as the converter station and underground cables) are not EIA development, for the purposes of the Directive 2011/92/EU as amended by 2014/52/EU (the EIA Directive). In spite of the position under the EIA Directive and EIA Regulations, Greenlink Interconnector Limited has decided to submit an EIAR on the basis that the Irish Courts' interpretation of the EIA Directive is evolving and may go beyond Greenlink Interconnector Limited's interpretation of the EIA Directive. Greenlink Interconnector Limited is keen to ensure that Greenlink is not exposed to any challenge risk in either Ireland or Wales, and that actions taken in Wales do not undermine the Irish consenting process.
- It is stated that a screening report for AA and if necessary a NIS will be prepared.
- The elements of Greenlink in Wales and from the median line to the Welsh coast also require consents from the relevant authorities with details for same outlined in the Implementation Plan in Schedule 2 for details of the consents required for the full project.
- As part of the PCI process, Greenlink is preparing a Concept for Public Participation (CPP) that will set out its proposed strategy for public participation in the project consent process. This will be a comprehensive document and will detail how the public will be consulted appropriately throughout the project.
- Greenlink has set up a project specific website which provides regular updates with respect to the project (<http://www.greenlink.ie>).
- A marine scoping report has been prepared, and this has been sent to all relevant statutory and non-statutory consultees.
- Onshore EIA scoping report (attached) has also been prepared and issued to all relevant statutory and non-statutory consultees.
- Baseline environmental and engineering surveys are ongoing in relation to the converter station sites, the onshore routing, landfall, and the offshore routing.
- Work that has been completed to date on archaeological desktop reviews and field surveys, ecology surveys, engineering site walk-overs, landowner

engagement, marine licence applications for survey work, geotechnical reviews of converter station sites, geotechnical reviews of landfall sites, geotechnical investigation, supply chain engagement with contractors and manufacturers, desk-based assessment of unexploded ordnance (UXO) and desk based assessment of fisheries activity.

- Schedule 2 presents key milestones for the proposed project, including the target date for the project to commence operation with this schedule constituting the implementation plan for the purposes of Regulation 5(1) of the PCI Regulation.

2.2. The following additional documents are attached to the submission:

- EIA Scoping Report (Ireland Onshore)
- Schedule 1: Consents Required
- Schedule 2: Implementation Plan

3.0 CONSIDERATIONS

3.1. The single matter to be dealt with in this report as set out in your request is to provide a recommendation to the Board's PCI Unit as to whether the Notification of PCI development consisting of that part of the proposed interconnector project falling within the Irish State should be acknowledged or rejected. Article 10 of Regulation (EU) No. 347/2013 entitled 'duration and implementation of the permit granting process' states at Article 10.1(a) that "*no later than three months following the receipt of the notification, the competent authority shall, including on behalf of other authorities concerned, acknowledge or, if it considers the project as not mature enough to enter the permit granting process, reject the notification in written form. In the event of a rejection, the competent authority shall justify its decision, including on behalf of other authorities concerned*". I would note that the Regulation does not define what is meant by not 'mature enough'.

3.2. The request from the Board's PCI Unit results from the fact that the proposed development requires a separate consent from the Board given its statutory role under the State's planning (strategic infrastructure) legislation. In making this recommendation I have had regard to the specific statutory role, function and established procedures of the Board in determining strategic infrastructure planning

matters under the Strategic Infrastructure provisions of the Planning and Development Act, 2000 as amended.

- 3.3. The decision to be made in this case is influenced by the fact that Greenlink have already entered into the statutory requirements for pre application consultations under the strategic infrastructure provisions of the Planning and Development Act 2000 as amended. Reference ABP-26.VC0102 refers in this instance. The documents provided with the Notification includes material lodged as part of the S.I. pre-application consultation process under reference ABP-26.VC0102. Given the stage of that SI pre-application process and that Greenlink could immediately lodge a SI planning application for the proposed development I would find it somewhat difficult to conclude at this stage that the Notification should be rejected on basis of not being mature enough under SI planning requirements to enter the permit granting process.
- 3.4. While, I note that the Board have not yet determined that the proposed development constitutes SI, since the previous determination documentation provided and discussions at the pre-application has provided further detail on the project. This includes the provision of a defined landfall location at Baginbun Beach, a determined onshore cable route from this location to the site of the proposed converter station which adjoins the Great Island substation. The majority of the cable route is located along the public road with part of the route to the north of the project area proposed through agricultural land. I would also note that public consultation has been undertaken along the project route in Fethard, Duncannon and Ramsgrange to date, as recently as March 2019. Consultation meetings have also taken place with the local authority and prescribed bodies such as the NPWS.
- 3.5. I note that the PCI process allows for a 2 year period to complete the pre-application stage once the project has been deemed mature enough and acknowledged to commence the permit granting process. While, I consider that under the S.I. provisions there still remains some questions as to the nature, scope and extent of the project and the associated administrative and regulatory requirements, however the proposed project has been appropriately defined.

4.0 CONCLUSION

- 4.1. In light of the above I recommend that the Board's PCI Unit be advised of the conclusion that there would appear to be no substantive reason why the Notification lodged with the Board's PCI Unit on the 21st May 2019 pursuant to the provisions of Article 10(1)(a) of Regulation (EU) No. 347/2013 for that part of the proposed Interconnector Project of Common Interest falling within the Irish State should be rejected.
- 4.2. In reaching this conclusion regard was had to the ongoing consultations for that part of the proposed Interconnector project falling within the Irish State under the SI provisions of the Planning and Development Act, 2000 as amended and particularly that (1) pre application consultations are ongoing for the proposed development under An Bord Pleanala pre application consultation reference ABP-26.VC0102 with and (2) that a defined project has been provided with the location of the converter station, the landfall location and the route between same determined within the proposed development.

Una Crosse

Una Crosse

Senior Planning Inspector

4th June 2019

Report Noted & Recommendation agreed.

Rachel Kenny
Rachel Kenny (Director of Planning)
4th June 2019.

