



An
Bord
Pleanála

Board Direction
ABP-301738-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/11/2018.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to whether the deviation from the permitted blade length of 45m (90. Diameter) to the constructed blade length of 51.5m (103m diameter) is or is not development and is or is not exempted development as relating to planning permission PD11/400, all at Barranafaddock Wind Farm, Co. Waterford, is or is not development or is or is not exempted development:

AND WHEREAS Waterford City & County Council requested a declaration on this question from An Bord Pleanála on the 24th day of May, 2018:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Previous planning permission, PD11/400,
- (d) Submissions made during the course of the referral, and

- (e) The physical alterations to the turbines, in particular the alterations to the blade length:

WHEREAS An Bord Pleanála has concluded that:

- (a) the erection of the turbines comes within the scope of the definition of development contained in Section 3 of the Planning and Development Act 2000,
- (b) the alterations to turbines, including the length of the rotor arms/blades, do not come within the scope of the permission granted,
- (c) there is no provision for exemption for the said alterations to turbines provided for in either Section 4, as amended, of the said Act or Article 6 of the Planning and Development Regulations 2001, and
- (d) therefore, the construction of the wind turbines as currently erected on site including the alterations to the rotor arms/blades is development and is not exempted development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the deviation from the permitted blade length of 45m (90m diameter) to the constructed blade length of 51.5m (103m diameter) as relating to planning permission PD11/400, all at Barranafaddock Wind Farm, Co. Waterford, is development and is not exempted development.

Board Member:

Date: 23/11/2018

John Connolly