



An
Bord
Pleanála

Board Direction

BD-014733-23

ABP-309283-21

The submissions on this file were considered at a Board meeting held on 29/11/2023.

The Board decided to dismiss this referral under subsection (1) (b) (i) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature of the questions raised in the referral, which collectively pertain to part of underground grid infrastructure/ electricity cable grid connections that appears to have been completed a significant period ago, and taking into account the referral history whereby part of the underground grid infrastructure/electricity cable grid connections that are the subject matter of the current referral has been previously determined under Board Order reference ABP-308071-20, as constituting development that is exempted development, and also taking into account the planning history including planning application reference 17/338 (Limerick City and County Council) which permitted underground cable works of relevance, and noting that the questions raised in the referral are lacking relevant detail on the context and purpose, the Board concluded that the questions cannot be properly addressed or decided in isolation within the meaning of Section 5 of the Planning and Development Act 2000, as amended. Accordingly, the Board decided to exercise its absolute discretion to dismiss this referral under Section 138(1)(b)(i) (nature of the questions raised) of the Planning and Development Act 2000, as amended.

In arriving at its decision, the Board took into account the content of the inspector's reports and the inspector's recommendation as well as the wider information on file, however, the Board did not follow the inspector's recommendation in this instance as it concluded that the questions raised could not be properly addressed or decided for the reasons outlined.

Board Member:

Patricia Calleary

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Date: 29/11/2023