

An
Bord
Pleanála

Board Direction
ABP-313625-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/09/2023.

The Board decided that:

WHEREAS a question has arisen as to whether the installation of *51no. concrete marker posts in relation to the east-west interconnector route (EWIC)*, is or is not development or is or is not exempted development'.

AND WHEREAS Eirgrid PLC requested a declaration on this question from Fingal County Council and the Council issued a declaration on the day of 26th April 2022 stating that the matter was development and was not exempted development:

AND WHEREAS Eirgrid PLC referred this declaration for review to An Bord Pleanála on the 23rd day of May 2022:

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,

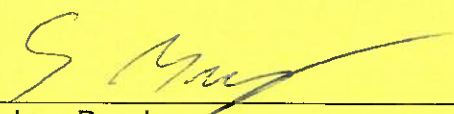
- (b) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Class 26 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001-2018,
- (d) The submissions on file and the report of the Inspector.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The installation of 51no concrete marker posts in relation to the east-west interconnector route constitutes works, which in turn constitutes development within the meaning of the Planning and Development Act 2000, as amended.
- (b) The proposed development does not come within the scope of any provisions afforded exempted development status under Section 4(1)(g) of the Planning and Development Act 2000, as amended, as the provisions afforded exempted development status do not include the construction of marker posts or similar-type structures,
- (c) The proposed development does not come within the scope of any class afforded exempted development status for the purposes of the Planning and Development Act 2000, as amended.

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 installation of 51 concrete marker posts in relation to the east-west interconnector route is development and is not exempted development.

Board Member:



Stephen Brophy

Date: 08/09/2023