

An
Coimisiún
Pleanála

Direction
ABP-322563-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30/09/2025.

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

Commission Order as follows:-

WHEREAS a question has arisen as to whether the development of a 33kV underground cable to connect the permitted Ardnageehy Solar farm to the permitted 110kV Ballyroe Substation is or is not development or is or is not exempted development.

AND WHEREAS Soleire Renewables SPV Ltd of Finance House, Main Street Charleville, Co. Cork, D56 XY00, requested a declaration on this question from Cork Council, and the Council issued a declaration on the 22nd Day of April 2025 stating that the matter is development and is not exempted development.

AND WHEREAS Soleire Renewables SPV Ltd referred this declaration for review to An Coimisiún Pleanála, on the 19th day of May 2025.

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to:

- (a) Section 2(1) of the Planning and Development Act 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act 2000, as amended,

- (c) Section 4(4) of the Planning and Development Act 2000, as amended.
- (d) Article 6(1) and Article 9(1) and in particular Article 9(1)(viiB) of the Planning and Development Regulations, 2001, as amended
- (e) Class 26 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site, and
- (g) the Appropriate Assessment Screening Report submitted by the applicant and the Ecology Reports of Cork County Council,

AND WHEREAS An Coimisiún Pleanála has concluded that:

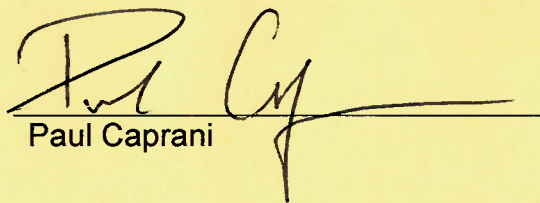
- (a) the provision of a 33 kV underground cable to connect the permitted Ardnageehy Solar farm to the permitted Ballyroe 110 kV Substation constitutes development as defined under Sections 2 and 3 of the Planning and Development Act 2000, as amended, and
- (b) the works come within the scope of the exempted development provision provided at Class 26 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (c) none of the restrictions on exempted development provided for under Section 4(4) of the Act and Article 9(1)(a) of the Planning and Development Regulations, 2001, as amended, apply in this case, as An Coimisiún Pleanála determined that an Appropriate Assessment was not required in this instance.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the development of a 33 kV underground cable to connect the permitted Ardnageehy Solar farm to the permitted Ballyroe 110 kV Substation is development and is exempted development.

Planning

Commissioner:

Date: 30/09/2025


Paul Caprani