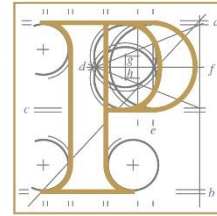


**Our Case Number:** ABP-311403-21

**Your Reference:** Rhothrees Limited



An  
Bord  
Pleanála

John Brennan  
Highfield Energy Services Limited  
Design Studio 7  
Old Castle View  
Kilgobbin Road  
Dublin 18

**Date:** 18 January 2022

**Re:** Proposed development of 110kV infrastructure  
Within the townland of Clonin, Rhode, Co. Offaly

Dear Sir,

Please be advised that following consultations under section 182E of the Planning and Development Act, 2000, as amended, the Board hereby serves notice that it is of the opinion that the proposed development falls within the scope of section 182A of the Planning and Development Act, 2000 as amended. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 182A of the Planning and Development Act, 2000, as amended. Any application for approval for the proposed development must therefore be made directly to An Bord Pleanála under section 182A(1) of the Act. Please see attachment for a list of prescribed bodies considered relevant in this instance.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed. In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended. If you have any queries in relation to the matter, please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

---

Sarah Caulfield  
Executive Officer  
Direct Line: 01-8737287

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**Facs** (01) 872 2684  
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Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

The following is a schedule of prescribed bodies considered relevant in this instance for the purposes of Section 182A(4)(b) of the Act.

- Minister of Housing, Local Government and Heritage
- Minister for Environment, Climate and Communications
- Offaly County Council
- Transport Infrastructure Ireland
- Irish Water
- An Chomhairle Ealaíon
- Fáilte Ireland
- An Taisce
- Heritage Council
- Commission of Regulation of Utilities, Water and Energy
- Health Service Executive
- Irish Aviation Authority
- Health & Safety Authority

**Further notifications should also be made where deemed appropriate.**

### **Electricity Applications Procedures**

- The application must be made by way of full completion of application form to An Bord Pleanála.
- The sequencing of the application process and the content of the public notice is as set out at section 182A of the Planning and Development Act, 2000, as amended.
- The Board requires as a minimum that the public notice of the application would be in two newspapers circulating in the area to which the proposed development relates, one of which should be a national newspaper (A sample public notice is attached). A site notice may be required in certain circumstances in respect of structures such as sub-stations and, where required, should accord with the protocols set out in the Planning and Development Regulations 2001-2011. The date of the erection of the site notice is to be inserted;

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otherwise, it should contain the same information as the newspaper notices and should remain in place for the duration of the period during which the public can make submissions to the Board.

- The documentation relating to the application is to be available for public inspection at the offices of the relevant planning authority and the offices of An Bord Pleanála. In this regard the requirements in terms of the number of copies of the documentation to be lodged with the relevant planning authority and the Board is as follows:
  - Planning Authority – 5 hard copies and 2 electronic copies.
  - An Bord Pleanála – 2 hard copies and 8 electronic copies.
- The Board also requires the prospective applicant to provide a stand-alone website containing all of the application documentation. The address of this website is to be included in the public notice.
- The public notice of the application is to indicate that the application documentation will be available for public inspection after the elapsment of at least 5 working days from the date of the publication of the notice so as to ensure that the documentation is in place for such inspection.
- The time period for the making of submissions by the public is to be at least seven weeks from the date the documents become available for inspection (not from the date of publication of the public notices). The Board requires that the public notice must indicate the deadline time and date for the making of submissions to the Board. It was agreed that the prospective applicant would advise the Board's administrative personnel in advance of the details of its proposed public notice and that any further definitive advice on same including confirmation of dates/times could be communicated at that stage.
- The service of notice of the application on any prescribed bodies must include a clear statement that the person served can make submissions to the Board by the same deadline as specified in the public notice (Sample letter to prescribed bodies is attached).
- The service letter on the planning authority with the necessary copies of the documents should be addressed to the Chief Executive and should also alert the authority to the Board's requirement that the application documentation be made available for public inspection/purchase by the planning authority in accordance with the terms of the public notice (copies of any newspaper/site notices should be provided to the planning authority). It is the Board's intention that all of the application documentation will remain available for public inspection during the currency of the application.

- The depositing of the application documentation and the making of the application to the Board should take place immediately after the publication of the notice and the completion of the service requirements. It should not await the elapsment of the period for the public to make submissions. The application should include a list of the persons served with the application, the date of such service and a sample copy of the notice of service.
- The fee for lodging an application is €100,000. The fee for making a submission in respect of an application is €50 (except for certain prescribed bodies which are exempt from this fee). There is a provision in the Planning and Development (Amendment) Act 2010 enabling the Board to recover its costs for processing any application from the applicant. In addition, it was pointed out that the legislation also enables the Board direct payment of costs or a contribution towards same to the planning authority and third parties.

**The sequencing of the making of the application was summarised as follows:**

1. Publish newspaper notices.
2. Serve copy of relevant documents on bodies/persons required to be notified of the application. Deposit required number of copies with relevant planning authority.
3. Deposit required number of copies of application documentation with An Bord Pleanála and make an application to it.

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