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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: EX613**

**WHEREAS** a question has arisen as to whether

- (i) an extension of the duration of planning permission granted by An Bord Pleanála for a Strategic Infrastructure Development (under reference number 08.PA.0002) for the Shannon LNG Project at Kilcolgan, Tarbert, County Kerry is a material change that is or is not development or is or is not exempted development, and
- (ii) Whether the complete abandonment of the Shannon LNG Project at Kilcolgan, Tarbert, County Kerry by its promoter is a material change that is or is not development or is or is not exempted development:

**AND WHEREAS** Safety before LNG care of John McElligott of Island View, Convent Street, Listowel, County Kerry requested a declaration on the question from Kerry County Council and the Council issued a declaration on the 10<sup>th</sup> day of November, 2017 stating that the matter is not development:

**AND WHEREAS** Safety before LNG care of John McElligott referred the declaration for review to An Bord Pleanála on the 6<sup>th</sup> day of December, 2017:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to Section 2(1) and Section 3(1) Planning & Development Act 2000, as amended:

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) the extension of duration of the grant of planning permission for the Shannon LNG Project does not constitute works on, in, over or under land or the making of any material change of use of any structure or other land and therefore does not constitute 'development'.
- (b) the complete abandonment of the proposed Shannon LNG Project by its promoter does not constitute works on, in, over or under land or the making of any material change of use of any structure or other land and therefore does not constitute '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 extension of duration of the grant of planning permission for the Shannon LNG Project and the complete abandonment of the proposed Shannon LNG Project at Kilcolgan, Tarbert, County Kerry by its promoter is not a material change that is development.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**John Connolly**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**