



Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: ED34/20

WHEREAS a question has arisen as to whether the laying of underground cables in an area designated as a Special Protection Area, from Mauricetown Windfarm, Mauricetown, Ashford, Ballagh, County Limerick to the substation at Dromdeeveen for grid connection is or is not development or is or is not exempted development:

AND WHEREAS Liam Lenihan of Glenduff, Ashford, Ballagh, County Limerick requested a declaration on the said question from Limerick City and County Council and the said Council issued a declaration on the 14th day of August, 2020 stating that the said matter is development and is permitted development under planning register reference number 12/379, An Bord Pleanála reference number PL 13.240910:

AND WHEREAS Liam Lenihan referred the declaration for review to An Bord Pleanála on the 31st day of August 2020:

AND WHEREAS An Bord 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,
- (c) section 4(1)(h)(i) of the Planning and Development Act, 2000, as amended,
- (d) section 4(2) of the Planning and Development Act, 2000,
- (e) section 4(4) of the Planning and Development Act, 2000, as amended,
- (f) section 5(3)(a) of the Planning and Development Act, 2000, as amended,
- (g) section 138(1)(b)(ii) of the Planning and Development Act, 2000,
- (h) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (i) Class 26 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (j) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (k) the planning history of the site, and
- (l) the report of the Inspector:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the provision of the underground electricity connection and associated works involves the carrying out of works and, therefore, constitutes development under sections 2 and 3 of the Planning and Development Act, 2000, as amended, and

- (b) the works specifically come within the scope of Class 26 of Part 1 of the Second Schedule of the Planning and Development Regulations, 2001, as amended, and, therefore, constitute exempted 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 laying of underground cables in an area designated as a Special Protection Area, from Mauricetown Windfarm, Mauricetown, Ashford, Ballagh, County Limerick to the substation at Dromdeeven for grid connection is development and is exempted 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.

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

Dated this day of 2021.