

An
Bord
Pleanála

Board Order
ABP-309283-21

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council.

Planning Register Reference Number: EC/60.

WHEREAS a question has arisen as to whether

- (1) the underground electricity cable grid connections and associated works from the Mauricetown Wind Farm 38kV substation to the Tullylease 38kV substation in County Limerick,
- (2) the underground electricity cable grid connections and associated works from Tullylease 38kV substation to the electricity cable grid connection which runs from Dromdeeveen Wind Farm 38kV substation to the Glenlara 110kV substation in County Cork as far as the Limerick County/Cork County border at Glashawee River, and
- (3) the underground electricity cable grid connections and associated works from the Dromdeeveen Wind Farm 38kV substation to the Glenlara 110kV substation in County Cork as far as the Limerick County/Cork County border at the Glashawee River

is or is not development and is or is not exempted development:

AND WHEREAS Patrick Cremins care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork requested a declaration on the question from Limerick City and County Council and no declaration issued by the planning authority:

AND WHEREAS Patrick Cremins referred the question for decision to An Bord Pleanála on the 19th day of January, 2021:

Decision

DISMISS the said referral under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.


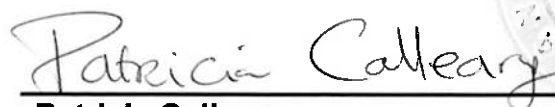
Reasons and Considerations

Having regard to the nature of the questions raised in the referral, which collectively pertain to part of underground grid infrastructure/electricity cable grid connections that appears to have been completed a significant period ago, and taking into account the referral history whereby part of the underground grid infrastructure/electricity cable grid connections that are the subject matter of the current referral has been previously determined under An Bord Pleanála reference number ABP-308071-20, as constituting development that is exempted development, and also taking into account the planning history including planning register reference 17/338 number (Limerick City and County Council) which permitted underground cable works of relevance, and noting that the questions raised in the referral are lacking relevant detail on the context and purpose, the Board concluded that the questions cannot be properly addressed or decided in isolation within the meaning of Section 5 of the Planning and Development Act 2000, as amended. Accordingly, the Board decided to exercise its absolute discretion

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to dismiss this referral under Section 138(1)(b)(i) (nature of the questions raised) of the Planning and Development Act 2000, as amended.

In arriving at its decision, the Board took into account the content of the Inspector's reports and the Inspector's recommendation as well as the wider information on file, however, the Board did not follow the inspector's recommendation in this instance as it concluded that the questions raised could not be properly addressed or decided for the reasons outlined.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 14 day of December 2023.