

An  
Bord  
Pleanála

Board Order  
ABP-310120-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Longford County Council**

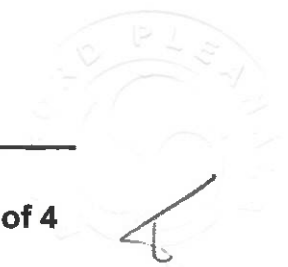
**Planning Register Reference Number: DC21/2**

**WHEREAS** a question has arisen as to whether the provision of circa 3,834 metres of 38 kV underground medium voltage grid connection cable between the consented Cleggill Solar Farm (planning register reference number 17/47, An Bord Pleanála appeal reference number PL 14.248470) to the nearest 38 kV Longford substation through the townlands of Cleggill, Lismore, Cartrons, Moneylagan, Aghadegan and Minard, is or is not development or is or is not exempted development:

**AND WHEREAS** the question was referred to An Bord Pleanála by Longford County Council on the 4<sup>th</sup> day of May, 2021:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) sections 2, 3, 4, 172 (1) and 177U (9) of the Planning and Development Act, 2000, as amended,



- (b) articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 26 of Part 1 of the Second Schedule to those Regulations,
- (d) the planning history of the solar farm, under planning register reference number 17/47, An Bord Pleanála appeal reference number PL 14.248470,
- (e) the documentation and submissions on file, including the Outline Construction Environmental Management Plan, the Construction Traffic Management Plan and the Appropriate Assessment Screening Report, submitted to the planning authority on the 7<sup>th</sup> day of April 2021,
- (f) the report of the planning authority, and
- (g) the report of the Inspector, including the Appropriate Assessment screening:

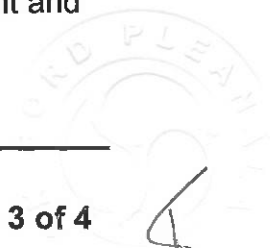
**AND WHEREAS** An Bord Pleanála has concluded that -

- (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,
- (b) the underground electricity grid connection involves works carried out by an electricity undertaker, and, having regard to the nature of those works, would come within the scope of Class 26 of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, and would, therefore, constitute exempted development,



- (c) none of the restrictions on exempted development provided for under section 4 (4) of the Planning and Development Act 2000, as amended, apply in this case,
- (d) none of the restrictions on exempted development provided for under article 9 (1)(a) of the Planning and Development Regulations, 2001, as amended, apply in this case, and in particular, having regard to the scope of the works as set out in the Construction Traffic Management Plan submitted to the planning authority, the development in question would not endanger public safety by reason of traffic hazard,
- (e) none of the restrictions on exempted development provided for under article 9 (1)(a) (viiB) of the Planning and Development Regulations, 2001, as amended, apply in this case, and in particular, having regard to the Appropriate Assessment Screening Report submitted to the planning authority, and
- (f) there are no other restrictions on exemption set out in the Planning and Development Act, 2000, as amended, and/or the Planning and Development Regulations, 2001, as amended, that would apply in this instance:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the provision of circa 3,834 metres of 38 kV underground medium voltage grid connection cable between the consented Cleggill Solar Farm (planning register reference number 17/47, An Bord Pleanála appeal reference number PL 14.248470) to the nearest 38 kV Longford substation through the townlands of Cleggill, Lismore, Cartrons, Moneylagan, Aghadegan and Minard 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.



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**Terry Ó Niadh**

**Member of An Bord Pleanála**

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

Dated this 5<sup>th</sup> day of October, 2021.

