



An  
Bord  
Pleanála

## Board Order ABP-311034-21

**Planning and Development Acts, 2000 to 2020**

**Planning Authority: Tipperary County Council**

**(Associated application reference number: ABP-306204-19)**

**REQUEST** received by An Bord Pleanála on the 4<sup>th</sup> day of August, 2021 from Ecopower Developments Limited of Zetec House, Purcellsinch IDA Business Park, Kilkenny under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development described as a proposed 110 kilovolt electrical substation and underground 110 kilovolt electrical cables to connect the previously approved Upperchurch Windfarm substation to the existing 110kV overhead line at Mountphilips, County Tipperary, which was the subject of an approval under An Bord Pleanála reference number ABP-306204-19.

**WHEREAS** the Board made a decision to approve, subject to conditions, the above-mentioned development by Order dated the 8<sup>th</sup> day of February, 2021,

**AND WHEREAS** the Board has received a request to alter the terms of the development, the subject of the approval,

**AND WHEREAS** the proposed alterations are described as follows:

- change of location and interior layout and removal of windows from the substation control building within the compound;

- rearrangement of the outdoor electrical equipment and apparatus within the compound; and
- rearrangement of the cabling connecting into and out of the compound to suit the new control building and equipment/apparatus layout.

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to whether the proposed alterations would constitute the making of a material alteration to the terms of the development concerned,

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in a material alteration to the terms of the development, the subject of the approval,

**AND WHEREAS** having considered all the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

**NOW THEREFORE** in accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, the Board hereby alters the above-mentioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 4<sup>th</sup> day of August, 2021 for the reasons and considerations set out below.

### **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.

## REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the substation and associated development approved by An Bord Pleanála under reference number ABP-306204-19 for this site,
- (ii) the examination of the environmental impact, including in relation to European Sites, carried out in the course of that application,
- (iii) the limited nature and scale of the proposed alterations when considered in relation to the overall approved development,
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European Sites) arising as a result of the proposed alterations, and
- (v) the report of the Board's Inspector, which is adopted,

it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, the Board hereby makes the said alterations.



**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this 12<sup>th</sup> day of November 2021.