



An
Bord
Pleanála

Board Order
ABP-317245-23

Planning and Development Acts 2000 to 2022

Planning Authority: Offaly County Council

Planning Register Reference Number: DEC21/6

WHEREAS a question has arisen as to whether the increase in output from eight (8) number permitted wind turbines at Ballykillen, Shean, Kilcumber, Cloncant and Cushaling, Ededderry, County Offaly, involving the increase in megawatt (MW) output from 44 MW to 52.8 MW, is or is not development or is or is not exempted development:

AND WHEREAS Cloncant Renewable Energy Limited requested a declaration on this question from Offaly County Council on the 19th day of March, 2021 and the Council did not make a declaration relating to the submitted question:

AND WHEREAS Offaly County Council referred the declaration for review to An Bord Pleanála on the 13th day of April, 2021:

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

- (a) Section 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 9(1)(a)(i) of the Planning and Development Regulations, 2001, as amended,
- (c) the development as granted permission under planning register reference PL2/19/606 (An Bord Pleanála reference ABP-306924-20),
- (d) the documentation on file, including submissions from the referrer and the planning authority,
- (e) the clarifications received by the An Bord Pleanála on the 4th day of September 2023 from the referrer in relation to impacts arising from the increase in MW output (including at 'Environmental Considerations of Proposal' therein), and
- (f) the pattern of development in the area.

AND WHEREAS An Bord Pleanála has concluded that –

- (a) there is no specific condition limiting the MW output attached to planning register reference PL2/19/606 (An Bord Pleanála reference ABP-306924-20),
- (b) the increase in MW output does not constitute 'works' pursuant to section 2 of the Planning and Development Act, 2000, as amended,

(c) the increase in MW output is not 'development' pursuant to section 3 of the 2000 Act, with reference to the following:

- (i) the increase in MW output from the eight number turbines is limited,
- (ii) the increase in MW output does not give rise to any additional material planning or environmental considerations not already assessed and permitted pursuant to planning register reference PL2/19/606 (An Bord Pleanála reference ABP-306924-20),
- (iii) there is no material change in use arising from the increase in MW output.

NOW THEREFORE An Bord Pleanála, in exercise of its powers conferred on it by section 5(4) of the Planning and Development Act, 2000, as amended, hereby decides that the increase in output from eight (8) number permitted wind turbines at Ballykillen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, County Offaly, involving the increase in megawatt (MW) output from 44 MW to 52.8 MW, is not development.



Tom Rabbette

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

Dated this 23rd day of

 2025