

An
Coimisiún
Pleanála

Commission Order ABP-321640-25

Planning and Development Acts, 2000, as amended

Planning Authority: Carlow County Council

(Associated application reference number: ABP-313139-22)

REQUEST received by An Coimisiún Pleanála on the 10th day of January 2025 from Gareenleen Solar Farm Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork under section 146B of the Planning and Development Act 2000, as amended, to alter the terms of the development approved under section 182A(1) of the Planning and Development Act 2000, as amended, for a 110kV substation and underground grid connection, a strategic infrastructure development at Bendistown, Gilberstown, Kellistown East, Kellistown West, Ballycurragh, Ardbearn and Ballynunnery, County Carlow, the subject of an approval under An Coimisiún Pleanála reference number ABP-313139-22.

WHEREAS the Commission made a decision to approve, subject to conditions, the above-mentioned development by Order dated the 3rd day of November 2022,

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

AND WHEREAS the proposed alteration is described as follows:

The insertion of a telecommunications mast, circa 24 metres, to be located south of the EirGrid substation compound.

AND WHEREAS having regard to the issues involved, the Commission decided, in accordance with section 146B(8)(a) of the Planning and Development Act 2000, as amended, to invite submissions or observations from the public in relation to the matter,

AND WHEREAS having considered all of the documents on file and the Inspector's report,

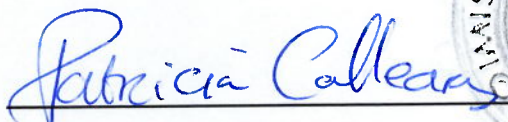
NOW THEREFORE in accordance with section 146B(3)(b) of the Planning and Development Act, 2000, as amended, the Commission hereby refuses to make the alteration, based on the reasons and considerations under.

REASONS AND CONSIDERATIONS

The Commission considers that the particulars described in the request, comprising the introduction of a 24 metres high telecommunications mast, would result in new element and function distinct from the permitted strategic electricity transmission infrastructure authorised under An Coimisiún Pleanála reference number ABP-313139-22 on the subject site. The Commission concluded that the development as described would not come within the meaning of an alteration of the terms of the permitted strategic infrastructure development as provided for under Section 146B of the Planning and Development Act 2000, as amended and cannot be considered under that provision. Accordingly, the Commission concluded that the request does not fall to be considered under Section 146B and decided not to alter the terms of the development.

The particulars described in the request would require consideration by way of a separate planning application to the planning authority under Section 34 of the Planning and Development Act 2000, as amended.

In not agreeing with the inspector's recommendation to alter the permitted development, which was based on the view that the proposed telecommunications mast would not represent a different function from the permitted strategic electricity infrastructure and would otherwise be limited in nature and scale and without resulting in any significant new or additional environmental effects, the Commission did not share this finding. The Commission notes that the strategic infrastructure development authorised under An Coimisiún Pleanála reference number ABP-313139-22 relates specifically to electricity transmission infrastructure. The Commission considers that the introduction of a 24 metres high telecommunications mast on the subject site would constitute the introduction of a development type and function distinct from that of the permitted strategic electricity infrastructure authorised under An Coimisiún Pleanála reference number ABP-313139-22 on the subject site. Accordingly, the Commission did not share the Inspector's view that the proposed alteration could be treated under Section 146B of the Planning and Development Act, 2000, as amended.



Patricia Calleary

**Member of An Coimisiún Pleanála
duly authorised to authenticate**

the seal of the Commission.

Dated this 30 day of January 2026.

