

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wexford County

Planning Authority Reference Number: EXD00574

An Bord Pleanála Reference Number: 26.RL.3410

WHEREAS a question has arisen as to whether the provision of grid connections from the Croy 110kV/Lodgewood 220kV substation to the Ballycadden, Gibbet Hill, Knocknalour and Ballynancoran wind farms in County Wexford is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Wexford County Council on the 29th day of September, 2015:

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

- (a) sections 2(1), 3(1), 4(4), 172(1) and 177U(9) of the Planning and Development Act, 2000, as amended,
- (b) Articles 3, 6 and 9 and Classes 26 and 27 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) Conditions numbers 7, 7, 8 and 10 of Wexford County Council planning register reference numbers 20091730; 20090266; 20110504; and 20033444 respectively,

- (d) O’Grianna (and others) v. An Bord Pleanála (and others), Record Number: 2014 JR 19, and
- (e) the documentation on file and the report of the Planning Inspector;

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the said grid connections come within the scope of Sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended and constitute development,
- (b) the said grid connections come within the scope of Classes 26 and 27 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (c) the said grid connections do not come within the scope of section 4(4) of the said Act. In this regard the Board adopts the report of the Inspector in relation to Environmental Impact Assessment and Appropriate Assessment and, thereby, has carried out the necessary assessments to conclude that neither Environmental Impact Assessment nor Appropriate Assessment was required,
- (d) the said grid connections come within the scope of article 9(1)(a)(i), of the said Regulations, as their construction contravened conditions 7, 7, 8 and 10 of planning permissions PA Ref.s 20091730; 20090266; 20110504; and 20033444 respectively, being the planning permissions for the relevant wind farms (Ballycadden; Gibbet Hill; Knocknalour; Ballynancoran).
- (e) the said grid connections do not come within the scope of articles 9(1)(a)(iii), (v), (vi), (vii), (viiA) or (viiB) or article 9(1)(c) of the said Regulations, and
- (f) as the wind farms for which the grid connections were required were approved, and constructed, prior to the O’Grianna decision, and the said grid connections were also constructed prior to that decision, the Board can proceed to decide the subject referral, including the consideration of Environmental Impact Assessment and Appropriate Assessment to the extent that is necessary, in accordance with the relevant legislative provisions.

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 said provision of grid connections from the Croy 110kV/Lodgewood 220kV substation to the Ballycadden, Gibbet Hill, Knocknalour and Ballynancoran wind farms in County Wexford is development and is not 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.

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

Dated this day of 2016.