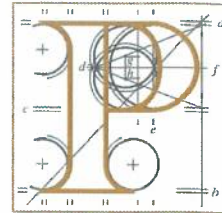


Our Case Number: ABP-309940-21

Planning Authority Reference Number: DEC21/6



An
Bord
Pleanála

Offaly County Council,
Áras an Chontae,
Charleville Road,
Tullamore,
Co. Offaly.



Date: 08 OCT 2021

Re: Whether the increase in megawatt (MW) output from 49.5MW to 59.4MW at a permitted wind farm development, using a new (6.6MS) machine at Ballykileen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, Co. Offaly is or is not development and is or is not exempted development. Ballykileen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, Co. Offaly.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2020. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

Yours faithfully,


Rita Donnelly
Executive Officer

RL100n

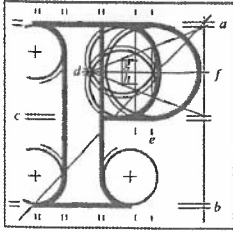


Teil
Glaio Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



**An
Bord
Pleanála**

**Board Order
ABP-309940-21**

Planning and Development Acts 2000 to 2020

Planning Authority: Offaly County Council

Planning Register Reference Number: DEC21/6



WHEREAS a question has arisen as to whether the increase in the Megawatt (MW) output at a permitted wind farm development, without increasing the size and scale of any of the works, layout or plans at Ballykilleen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, County Offaly is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Offaly County Council of Arás an Chontae, Charleville Road, Tullamore, County Offaly on the 13th day of April, 2021:

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

- (a) Sections 3(1) and 4 of the Planning and Development Act, 2000, as amended,
- (b) Sections 37A and 37B of the Planning and Development Act, 2000 as amended,

- (c) Article 6 of the Planning and Development Regulations 2001, as amended,
- (d) the planning history of the site,
- (e) the information submitted on behalf of the applicant regarding the increase in energy output proposed, and
- (e) the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that -


- (a) the proposed increase in energy output from approximately 49.5MW to 59.4MW would contravene condition number 1 of An Bord Pleanála reference ABP-306924-20,
- (b) increasing the energy output from approximately 49.5MW to 59.4MW would not align with the strategic infrastructure development procedure set out in Sections 37A and 37B of the Planning and Development Act, 2000, as amended,
- (c) the proposed increase in energy output to 59.4 MW would be a material increase in the energy output permitted under An Bord Pleanála reference ABP-306924-20 which has yet to be implemented,
- (d) there is an absence of adequate information to enable the Board to ascertain the impact the proposed development may have on, for example, grid connection and grid capacity, and
- (e) the substantial increase in energy output would materially intensify the development from that originally envisaged, proposed and permitted and would comprise development which is not exempted development:

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 increase in the Megawatt (MW) output at a permitted wind farm development, without increasing the size and scale of any of the works, layout or plans at Ballykilleen, Shean, Kilumber, Cloncant and Cushaling, Edenderry, County Offaly, is development and is not exempted development.

Matters Considered

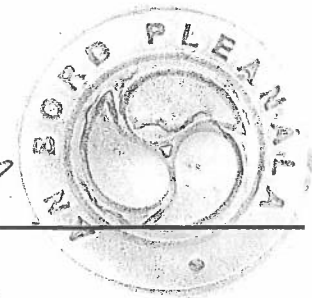
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.





Stephen Bohan

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



Dated this *8/16* day of *October* 2021.