**WICKLOW COUNTY COUNCIL**

**PLANNING & DEVELOPMENT ACTS 2000 (As Amended)**

**SECTION 5**

**CHIEF EXECUTIVE ORDER NO. CE/PERD/512/2024**

Reference Number: EX29/2024

Name of Applicant: Garrymore Solar Farm DAC

Nature of Application: Section 5 Referral as to whether or not “a 38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” is or is not development and is or is not exempted development.

Location: Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow

Report from Aisling McNamara, EP & Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether “a 38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” at Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

**Having regard to:**

1. The details and drawings received with this section 5 application (EX29/2024) on the 2nd April 2024
2. Sections 2, 3 and 4 of the Planning and Development Act 2000(as amended).
3. Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
4. The definition of ‘statutory undertaker’ in the Planning and Development Act 2000 (as amended)
5. Class 26 of Schedule 2 Part 1 of the Planning and Development Regulations 2001 (as amended)
6. PRR16/1099 (PL27.247942) and PRR23/60313

**Main Reason with respect to Section 5 Declaration:**

1. The proposal involves the acts of construction, excavation and alteration to install a 38kV underground grid connection cable and therefore ‘works’ are carried out. The proposal therefore constitutes ‘development’.
2. The works are to be carried out by an undertaker authorized to provide an electricity service.
3. The proposal is in accordance with Class 26 of Schedule 2 Part 1 of Planning and Development Regulations as amended.
4. The Article 9 restrictions do not apply.
5. No environmental impact assessment or appropriate assessment is required.

**Recommendation:**

The Planning Authority considers that “38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” at Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow **is development and is exempted development** as recommended in the report by the SEP.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated day of April 2024

**ORDER:**

**I HEREBY DECLARE:**

That “38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” at Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow **is development and is exempted development** within the meaning of the Planning & Development Act 2000 (as amended).

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated day of April 2024

**Senior Engineer**

**Planning, Economic & Rural Development**

DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

**Applicant:** Garrymore Solar Farm DAC

**Location:** Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow

**CHIEF EXECUTIVE ORDER NO. CE/PERD/512/2024**

A question has arisen as to whether “a 38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” at Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow” is or is not exempted development.

**Having regard to:**

1. The details and drawings received with this section 5 application (EX29/2024) on the 2nd April 2024
2. Sections 2, 3 and 4 of the Planning and Development Act 2000(as amended).
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6. PRR16/1099 (PL27.247942) and PRR23/60313

**Main Reasons with respect to Section 5 Declaration:**

1. The proposal involves the acts of construction, excavation and alteration to install a 38kV underground grid connection cable and therefore ‘works’ are carried out. The proposal therefore constitutes ‘development’.
2. The works are to be carried out by an undertaker authorized to provide an electricity service.
3. The proposal is in accordance with Class 26 of Schedule 2 Part 1 of Planning and Development Regulations as amended.
4. The Article 9 restrictions do not apply.
5. No environmental impact assessment or appropriate assessment is required.

**The Planning Authority considers that** “a 38kV underground grid connection cable between a solar farm PV development at Garrymore Upper, Rathdrum permitted under reference 16/1099 and a new joint slab box on local road L2127 on the grid connection route permitted under reference 23/60313 (as an amendment to the permitted grid connection route)” at Townlands of Tansleyclose, Knockadosan & Carrymore Upper, Co. Wicklow **is development and is exempted development**

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ADMINISTRATIVE OFFICER

 PLANNING ECONOMIC & RURAL DEVELOPMENT Dated April 2024

**IMG Planning Limited**

**75 Fitzwilliam Lane**

**Dublin 2**

**D02 AK77**

 April 2024

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX29/2024 for Garrymore Solar Farm DAC

A Chara,

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanala of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

The Planning Authority draw your attention to the following additional consents that will be required with respect to the cabling works proposed.

Is mise, le meas,

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**ADMINISTRATIVE OFFICER**

**PLANNING ECONOMIC & RURAL DEVELOPMENT**

**Hugh Kinsella**

**Prospect House**

**Rathdrum**

**Co. Wicklow**

 April 2024

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**ADMINISTRATIVE OFFICER**

**PLANNING**

**Seamus Clarke**

**Ballinderry Lower**

**Rathdrum**

**Co. Wicklow**

 April 2024

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**ADMINISTRATIVE OFFICER**

**PLANNING ECONOMIC & RURAL DEVELOPMENT**

 **ECONOMIC & RURAL DEVELOPMENT**