



Planning and Development Acts 2000 to 2019

Planning Authority: Wexford County Council

Planning Register Reference Number: 20190442

Appeal by Renewable Energy Systems (RES) Limited care of Tony Bamford Planning of Airport Hub, Furry Park, Swords Road, Santry, Dublin against the decision made on the 14th day of October, 2019 by Wexford County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission to amend the design of the approved development (planning register reference number 20161217) which comprises consent for the development of a temporary (25 years) ground mounted solar panel photovoltaic (PV) farm to generate renewable electricity on a 10 hectare site, comprising solar arrays, associated electrical infrastructure, fencing, access improvements and ecologically beneficial landscape works subject to 14 conditions. Permission is also sought to amend the lifespan of the consented development from 25 years to 35 years. Amendments proposed are: no changes to red line boundary or perimeter fence or closed circuit television points, change from mesh fence to deer fencing in compliance with condition number 13, solar panel height increased from 2.3 metres to 2.5 metres, angle span amended from 20-30 degrees to 10-40 degrees. Panels layout slightly reconfigured to account for changes in the height, interior access track decrease in land take from 2,478 square metres to 1,365 square

metres, single temporary construction compound to be replaced by two compound areas of 3,240 square metres and 1,600 square metres with an overall ground disturbance increase of 1,480 square metres, increase in energy storage area of 750 square metres to a proposed area of 1,520 square metres, replacement of four solar farm substations with two slightly larger substations, enlargement of grid connection substation. Removal of energy containers resulting in a land take increase from 624 square metres to 960 square metres, an increase of 336 square metres and overall increase in ground disturbance at construction stage by 1,473 square metres. Overall decrease in land-take for the duration of operational stage is expected to be seven square metres. All at Banoge, Courtown, County Wexford.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3 and the reason therefor.

Reasons and Considerations

Having regard to the new technology proposed, it is considered that the permitted operating life of 25 years, from the date of commencement of the development, is both reasonable and necessary in order to enable the planning authority to consider the impact of the development over this period, having regard to the circumstances then prevailing, in the interest of orderly development, and is in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to amend condition number 3, the Board noted that the reason for the condition does not relate to the useful life or warranty associated with individual solar panels.

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.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.