



An
Bord
Pleanála

Board Direction
BD-001729-18
ABP-301081-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/11/2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the current development plan for the area and to the national renewable energy policy objectives, it is considered that, subject to compliance with the conditions set out below, the proposed construction of a solar farm would not seriously injure the visual amenities of the area, the residential amenities of the area or the ecology of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior

to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 5 years from the date of this order.

Reason: In the interest of clarity.

3. (a) All structures including foundations hereby authorised shall be removed not later than 25 years from the date of commencement of the development, and the site reinstated unless planning permission has been granted for their retention for a further period prior to that date.
(b) Prior to commencement of development, a detailed restoration plan, providing for removal of foundations and access roads to a specific timescale shall be submitted to the planning authority for written agreement.
(c) On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations, shall be dismantled and removed from the site. The site (including all access roads) shall be restored in accordance with the said plan and all decommissioned structures shall be removed within three months of decommissioning.

Reason: To enable the planning authority to consider the impact of the development over the stated time period, to enable the planning authority to review the operation of the solar farm having regard to the circumstances then prevailing, and in the interest of orderly development.

4. No external artificial lighting shall be installed or operated on site, unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of visual and residential amenity.

5. All landscaping shall take place in the first planting season upon commencement of development and shall be in accordance with the scheme as submitted to the planning authority. The landscaping and screening shall be maintained at regular intervals. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In the interest of the amenities of adjoining properties.

6. ABP Model CMP Condition 2

Reason: In the interest of public safety and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Cables from the solar arrays to the compound shall be located underground.

Reason: In the interest of visual amenity.

9. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

10. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall – (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member

Date: 22/11/2018

Terry Ó Niadh