

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Longford County

Planning Register Reference Number: 16/81

An Bord Pleanála Reference Number: PL 14.246850

APPEAL by Martin Finnan care of Sean Lucy and Associates Limited of 23E Lough Sheever Corporate Park, Mullingar, County Westmeath against the decision made on the 9th day of June, 2016 by Longford County Council to grant subject to conditions a permission to Elgin Energy Services Limited care of RPS Planning and Environment of West Pier Business Campus, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: 10 year permission for development consisting of a solar farm with an export capacity of approximately 4.2MVA comprising photovoltaic panels on ground mounted frames, a single storey terminal station, four number single storey inverter stations, ducting and electrical cabling, perimeter fencing, mounted CCTV cameras, improved access and provision of internal access track and all associated site development and landscaping works within the townland of Lisnageeragh, Edgeworthstown, County Longford.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the current Development Plan for the area and of national renewable energy policy, to the nature and scale of the proposed development, the suitability of the aspect and topography of the site, the proximity of the site to the grid connection and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity and would not detract from the landscape character or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In reaching its decision, the Board noted and concurred with the Inspector's view that the Environmental Impact Assessment was not required in respect of the development and that the development would not be likely to have a significant effect on the environment. The Board adopted the Inspector's report. The Board also noted and concurred with the Inspector's analysis under the heading of Appropriate Assessment and agreed with the Inspector that, having regard to the separation distance between the subject site and the nearest European sites and to the lack of potential for connectivity with those sites, the Board is satisfied that the proposed development, including the grid connection, either individually or in combination with other plans or project would not be likely to have significant effects on the European Sites having regard to the conservation objectives of these sites.

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 10 years from the date of this Order.

Reason: Having regard to the nature of the proposed development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.

3. The permission shall be for a period of 25 years from the date of the commissioning of the solar farm. The solar farm and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

Reason: To enable the planning authority to review the operation of the solar array in the light of the circumstances then prevailing.

4. 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.

5. The external walls of the proposed terminal station shall be finished in a neutral colour such as grey or off-white and the roof shall be of black tiles/slates. The four number inverter stations shall be dark green in colour.

Reason: In the interest of the visual amenity of the area.

6. CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the public road.

Reason: In the interest of the amenities of the area.

7. 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.

8. Cables within the site shall be located underground.

Reason: In the interest of visual amenity.

9. (1) Existing field boundaries, including trees and hedgerow, shall be maintained save as is required to achieve improvements to sightlines at the site entrance.

- (2) All landscaping shall take place in the first planting season following commencement of development and in accordance with the scheme which shall be submitted to, and agreed in writing with, the planning authority. The landscaping and screening shall be maintained at regular intervals. Any trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of the visual amenities of the area.

10. (1) Prior to commencement of development, a detailed restoration plan, including a timescale for its implementation, shall be submitted to, and agreed in writing with, the planning authority.

- (2) 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 site, including access roads, shall be restored and structures removed in accordance with the said plan within three months of decommissioning/cessation, to the written satisfaction of the planning authority.

Reason: To ensure the satisfactory reinstatement of the site on full or partial cessation of the proposed development.

11. No groundworks shall take place within at least 25 metres of the external perimeter of Recorded Monument LF-015-051 (ringfort). The monument and its buffer area shall be fenced off during construction works, to prevent ground disturbance being caused by machines.

Reason: In order to conserve the archaeological heritage of the area

12. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues: -

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs and, arising from this assessment, the developer shall agree in writing details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

13. The development shall be carried out so as to ensure that any existing services are not compromised, damaged or built over.

Reason: In the interest of public safety.

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, the management of construction traffic and off-site disposal of construction/demolition waste.

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

15. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads that may be damaged by construction transport 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 the reinstatement of public roads that may be damaged by construction transport.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on 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.

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

Dated this day of 2016.