

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Kilkenny County

**Planning Register Reference Number: 16/228**

An Bord Pleanála Reference Number: PL 10.246875

**APPEAL** by Highfield Solar Limited care of Highfield Energy Services Limited of Design Studio 7, Old Castle View, Kilgobbin Road, Dublin against the decision made on the 10<sup>th</sup> day of June, 2016 by Kilkenny County Council to refuse permission.

**PROPOSED DEVELOPMENT:** A 10 year permission for the construction of a Solar PV Energy development within a total site area of up to 21.9 hectares to include one single storey electrical substation building, electrical transformer/inverter station modules, solar PV panels ground mounted on steel support structures, access roads, fencing and associated electrical cabling, ducting and ancillary infrastructure, all at Gorteens, Belview, County Kilkenny.

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations 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

Belview Port is identified as a Port of National Significance (Tier 2) in the National Ports Policy 2013, having good transport connectivity in its rail and national road links. The South East Regional Planning Guidelines 2010 – 2022 state that Belview Port is of regional and national importance for import and export trade. The Kilkenny County Development Plan 2014 – 2020 recognises Belview Port as a strategic national, regional and county asset, and identifies the port as being a nationally and regionally important strategic location for enterprise and employment. The site of the proposed development is designated with a Port Facilities and Industry zoning objective in the Ferrybank - Belview Local Area Plan 2009 – 2020, which objective is to allow for the further development and expansion of port facilities and associated industries. The proposed development would occupy a substantial extent of land that is zoned for port-related uses over a significant 30-year time period with a development that is not port related and has no location-based requirement to occupy such zoned lands. It is considered that the proposed development would prejudice the orderly expansion of Belview Port, would compromise the development of port-related industry, would be contrary to the land use zoning objective set out in the Local Area Plan, and would contravene national policy, regional planning guidelines and the policies set out in the County Development Plan in relation to the development and expansion of the strategic port area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2016.**