

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Wexford County**

**Planning Register Reference Number: 20160462**

An Bord Pleanála Reference Number: PL 26.246928

**APPEAL** by Lorna Moorhead of Corragh, Bunclody, Enniscorthy, County Wexford against the decision made on the 22<sup>nd</sup> day of June, 2016 by Wexford County Council to grant subject to conditions a permission to ABO Wind Ireland Limited of Unit 4, Aspen Court, Cornelscourt, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Erection of two free standing lattice type meteorological masts not exceeding 80 metres in height, new internal access roads, underground electrical cables and associated works, all at Graigue More and Kiltilly, Bunclody, County Wexford.

## **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 nature and scale of the proposed development and its locations within an existing wind farm development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would be satisfactory in terms of environmental impact. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Appropriate Assessment

The Board completed a screening exercise, taking into account the screening report submitted by the planning authority and the Inspector's report and submissions on file, in relation to potential impacts of the site. In this regard, the Board concurred with the Planning Inspector's determination and adopted her conclusions. The Board was, therefore, satisfied that, having regard to the limited scale of the proposed works and to the nature and scale of the proposed development together with the separation distance between the sites for the meteorological masts and the nearest European site:- the Slaney River Valley Special Area of Conservation (Site Code 000781) and the lack of hydrological connection between same, the proposed development, either individually or in combination with the existing wind farm, would not be likely to have a significant effect on the Slaney River Valley Special Area of Conservation (Site Code 000781) or any other European site in view of the site's conservation objectives.

## Environmental Impact Assessment

The Board noted the planning authority had screened the proposed development in relation to environmental impact assessment and concluded that an Environmental Impact Statement was not required. The Board noted and adopted the Inspector's screening which also concluded that an Environmental Impact Statement was not required as the development proposed is not of a class specified in Schedule 5 of the Planning and Development Regulations, 2001, as amended. Having regard to criteria for determining whether a development would or would not be likely to have significant effects on the environment (Schedule 7 of the Regulations refers), the Board concurred with the Planning Inspector that the proposed development would not be likely to have significant effects on the environment.

### **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.

**Reason:** In the interest of clarity.

2. (1) This permission shall expire on the 31<sup>st</sup> day of December, 2032. At the end of this period and unless a further planning permission has been granted for the proposed development, the masts and ancillary equipment shall be removed from the site and the entire site shall be reinstated to its previous undisturbed condition to the satisfaction of the planning authority.  
  
(2) In the event of the meteorological masts becoming obsolete and being decommissioned the developers shall, at their own expense, remove the masts and ancillary equipment from the site and the entire site shall be reinstated to its previous undisturbed condition to the satisfaction of the planning authority

**Reason:** To safeguard the amenities of the area.

3. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal.

The form and amount of the security shall be 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 satisfactory reinstatement of the site.

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

**Dated this            day of            2017.**