

## Board Order PL 26.247801

Planning and Development Acts 2000 to 2017

**Planning Authority: Wexford County Council** 

**Planning Register Reference Number: 20161110** 

**Appeal** by Harmony Solar Dennistown Limited care of Fehily Timoney and Company of Core House, Pouladuff Road, Cork in relation to the application by Wexford County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 8 and 9 of its decision made on the 30<sup>th</sup> day of November, 2016.

**Proposed Development:** A solar photovoltaic panel array consisting of the following: up to 130,000 square metres of solar panels on ground mounted steel frames; a fenced electricity substation compound to include one number electricity control building and hardstands for ancillary electrical equipment; 10 number inverter units; underground cable and ducts; internal access tracks and hardstanding areas; boundary security fence; CCTV and all associated site service and works. Access is provided from the public road by an existing entrance and private road, all in the townlands of Dennistown, Sallystown, Milltown and Murntown Lower, near Murntown, County Wexford. Planning permission is sought for a period of 10 years.

## **Decision**

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of conditions numbers 8 and 9 and directs the said Council to REMOVE conditions numbers 8 and 9 and the reason therefor.

## **Reasons and Considerations**

Having regard to the terms of the Wexford County Council's Development Contribution Scheme 2013, it is considered that, in the absence of any reference to solar farms in this Development Contribution Scheme, the attachment of conditions numbers 8 and 9 to the draft permission granted to application 2016/1110 - which conditions were derived from the contributions that would be required for wind turbines – would constitute an improper application of the Scheme. The Board, therefore, considered it appropriate to remove these conditions.

## **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.

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

Dated this day of

2018