



Planning and Development Acts 2000 to 2018

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD18/7

Appeal by John J. McDermott and others care of Lodge, Carrick-on-Shannon, County Roscommon and by others against the decision made on the 1st day of June, 2018 by Roscommon County Council to grant subject to conditions a permission to Kinbrace Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a battery energy storage facility which will comprise rechargeable battery units contained within up to 31 number 40 foot containers on site and the associated development of unit substations, a 110 kV substation, security fencing, security cameras, lighting mast, new site roads and new vehicular access, all associated site development, landscaping and boundary treatment works above and below ground. The facility will connect into the adjoining Flagford ESB substation via underground cable. All on a site of circa three hectares within the townland of Culleenatreen or Flagford, County Roscommon. The proposed development was revised by further public notices received by the planning authority on the 8th day of May, 2018.

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 national policy objectives in relation to renewable energy, the provisions of the Roscommon County Development Plan 2014–2020, the nature and scale of the proposed development and the landscape character and site layout, it is considered that, subject to compliance with the conditions set out below, the proposed development would support national and regional renewable energy policy objectives, would not conflict with the provisions of the development plan, would not have unacceptable impacts on the visual amenities of the area, would not unduly detract from the amenities of the area, would not pose a serious risk to public health and safety and would be acceptable in terms of traffic safety. 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, as amended by the further plans and particulars received by the planning authority on the 30th day of April 2018, 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. Details of the materials, colours and textures of all the external finishes to the proposed buildings, storage containers, and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, a revised landscaping plan, indicating native species trees and hedgerows, details of boundary fencing, Sustainable Drainage Systems measures and the flood compensation pond. Security fencing along the roadside boundary shall be set back sufficiently to support adequate planting along the roadside. Existing field boundaries shall be retained where practicable and new planting undertaken. All landscaping shall be planted to the satisfaction of the planning authority prior to commencement of development. Any

trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from planting shall be replaced within the next planting season by trees or hedging of similar size and species, unless otherwise agreed in writing with the planning authority.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To assist in screening the proposed development from view, and in the interest of the visual amenity of the area and biodiversity.

4. A detailed surface water and Sustainable Drainage Systems plan shall be provided complying with the requirements of the planning authority. In the event that a water supply is required for fire safety reasons, the developer shall submit a revised surface water strategy incorporating a fire water retention pond.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of environmental protection and public health.

5. CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road. Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level. Cables within the site shall be located underground.

Reason: In the interest of visual and residential amenity, to allow wildlife to continue to have access to and through the site and to minimise impacts on drainage patterns.

6. Prior to commencement of development, a road condition survey shall be carried out by the developer in conjunction with the planning authority and submitted to the planning authority. A road condition survey shall also be carried out by the developer upon completion of the construction phase. Any damage to the public road, verge or public facilities caused by the development hereby permitted shall be fully reinstated by the developer at their own expense and to the satisfaction of the planning authority.

Reason: In the interests of orderly development and traffic safety.

7. 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, surface water management proposals, environmental management, the management of construction traffic and off-site disposal of construction waste.

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

8. The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

9. During the operational phase of the proposed development, the noise level from within the boundaries of the site measured at noise sensitive locations in the vicinity, shall not exceed:
 - (a) an LAeqT value of 55 dB(A) during the period 0800 to 2000 hours. The T value shall be one hour,
 - (b) an LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes. Night time emissions shall have no tonal component.

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

10. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

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

Dated this day of 2019.