



Planning and Development Acts 2000 to 2018

Planning Authority: Longford County Council

Planning Register Reference Number: 18/157

Appeal by Low Carbon Storage Ireland Limited care of Meridiem Renewables Limited of 6 George's Place, Dun Laoghaire, County Dublin against the decision made on the 14th day of January, 2019 by Longford County Council to refuse permission for the proposed development.

Proposed Development: A battery energy storage system (BESS) within a total site area of up to 0.41 hectares, to include one number single storey electrical substation building, one number customer switchgear container, nine number electrical inverter/transformer station modules (SKIDS), six number containerised battery storage modules on concrete support structures, 12 number heating, ventilation and air conditioning units (HVAC units), access tracks and upgraded site entrance, associated electrical cabling and ducting, security gates, perimeter security fencing, CCTV security monitoring system, landscaping works and all associated ancillary infrastructure on land at Ballykenny, 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 Longford County Development Plan 2015-2021 and to the nature and scale of the proposed development, it is considered that, subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. 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 information received by the planning authority on 28th day of September 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. The permission shall be for a period of 25 years from the date of the commissioning of the grid energy storage facility. The grid energy storage facility 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 grid storage facility in the light of the circumstances then prevailing.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

4. Prior to commencement of development, a bunded area or other provisions for the emergency containment of run off from the site in the event of the accidental spillage of contaminants, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of pollution control.

5. The storage structures shall be dark green in colour. The external walls of the proposed substation and switch room shall be finished in a neutral colour such as light grey or off-white and the roof shall be of black tiles.

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

6. The developer shall comply with the following technical requirements:
 - (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
 - (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
 - (c) 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.
 - (d) Cables within the site shall be located underground.

Reason: In the interest of clarity, of visual and residential amenity, traffic safety, and to allow wildlife to continue to have access to and through the site.

7. The developer shall comply with the following landscaping requirements:
 - (a) Existing field boundaries shall be retained and new planting undertaken in accordance with the landscaping details submitted with the application.
 - (b) 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.

Reason: In the interest of biodiversity, the visual amenities of the area, and the amenities of dwellings in the vicinity.

8. The developer shall comply with the following restoration requirements:
 - (a) 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.

- (b) On full or partial decommissioning of the grid energy storage facility, or if the facility ceases operation for a period of more than one year, the site 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.

- 9. During the construction stage, all topsoil stripping and ground works associated with the proposed development shall be subject to full time archaeological monitoring by a suitably qualified archaeologist under licence from the Department of Culture, Heritage and the Gaeltacht. Provision shall be made for the resolution of any archaeological features or deposits that may exist within the site.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

- 10. 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 a traffic management plan, intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

11. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

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

12. 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. The application of any indexation required by this condition 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.

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.

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

Dated this day of 2019.