



Planning and Development Acts 2000 to 2019

Planning Authority: Wexford County Council

Planning Register Reference Number: 20190440

Appeal by Renewable Energy Systems (RES) Limited care of TBP Planning and Development Consultants of Airport Hub, Furry Park, Swords Road, Santry, Dublin against the decision made on the 4th day of April, 2019 by Wexford County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission to amend the design of the approved development (planning register reference number 20171127) which comprises consent for the development of a temporary (25 years) ground mounted solar panel photovoltaic (pv) farm to generate renewable electricity on a 12.7 hectares site, comprising solar arrays, associated electrical infrastructure, fencing, access improvements and ecologically beneficial landscape works at Killabeg, Tinnacross, subject to 15 conditions. Permission is also sought to amend the lifespan of the consented development from 25 years to 35 years. Amendments proposed are: no changes to red line boundary and reduction in cctv cameras from 16 to 11; solar panel height increase from 2.3 metres to 2.5 metres, angle span amended from 20-30 degrees to 10-40 degrees. Panel layout slightly reconfigured and increased; eastern perimeter fence removal to link with consented solar farm (planning register reference number 20171680). Fence change from mesh to deer (condition number 14); access

track decrease of 1,802.5 square metres; removal of the energy storage area and increase of the overall construction compound area from 2,934.56 square metres to 3,033.06 square metres, change from four substations/energy storage containers and one grid connection substation to two solar farm substations, a larger grid connection substation and increased areas of hardstanding resulting in their landtake increase of 62.06 square metres; overall decrease in ground disturbance at the construction stage by 1,641.94 square metres; overall decrease in land take for the duration of the operational stage by 2,490.44 square metres; all at Killabeg, Tinnacross, County Wexford.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 3 and the reason therefor.

Reasons and Considerations

Having regard to the new technology proposed, it is considered that the permitted operating life of 25 years, from the date of commencement of the development, is both reasonable and necessary in order to enable the planning authority to consider the impact of the development over this period, having regard to the circumstances then prevailing, in the interest of orderly development, and, is in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to amend condition number 3, the Board noted that the reason for the condition does not relate to the useful life or warranty associated with individual solar panels.

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.

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

Dated this day of 2020.