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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20190441**

**Appeal** by Renewable Energy Systems (RES) Limited care of Tony Bamford Planning of Airport Hub, Furry Park, Swords Road, Santry, Dublin against the decision made on the 14<sup>th</sup> day of October, 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 20171680) which comprises consent for the development of a temporary (25 years) ground mounted solar panel photovoltaic (PV) farm to generate renewable electricity on a 10.4 hectare site, comprising solar arrays, associated electrical infrastructure, fencing, access improvements and ecologically beneficial landscape works 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 closed circuit television 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, western perimeter fence removal to link with consented solar farm (planning register reference number 20171127). Fence change from mesh to deer fencing (condition number 14), access track

increase of 17.5 square metres, replace combined energy storage area and temporary compound area (5,500 square metres, with 3,075 square metres energy storage area and 3,000 square metres temporary compound, removal of grid connection substation and three energy containers. Replace three solar farm substations with two slightly larger substations. Overall increase in ground disturbance at the construction stage of 766.5 square metres. Overall decrease in land-take for the duration of the operational stage of 2,233.5 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.

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**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**