

An  
Bord  
Pleanála

Board Order  
ABP-309311-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Leitrim County Council**

**Planning Register Reference Number: P20/20**

**Appeal** by Tracey McNamara of Corderry, Killargue, Dromahair, County Leitrim against the decision made on the 22<sup>nd</sup> day of December, 2021 by Leitrim County Council to grant subject to conditions a permission to Brookfield Renewable Ireland Limited care of Malone O'Regan Consulting Engineers of Ground Floor, Unit 3, Bracken Business Park, Bracken Road, Sandyford, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The installation of battery arrays, located within container units (16 number units, each 30 square metres by circa 2.6 metres tall), a control building (circa 160.5 square metres by circa 6.4 metres tall), transformer (circa five metres tall) and a new site entrance. The development will include for ancillary infrastructure including security fencing, lighting, CCTV, internal access roads and drainage. The overall development site is circa 0.44 hectares. The application includes a Natura Impact Statement (NIS), all at Corderry (E.D. Belhavel), County Leitrim, as revised by the further public notice received by the planning authority on the 4th day of November, 2020.

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## **Decision**

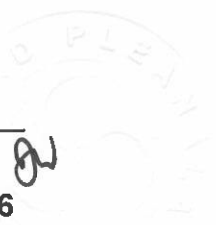
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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 national, regional and local planning policies which support the development of a safe, secure and reliable electricity network and seek to reduce dependence on fossil fuels, to the nature and scale of the proposed development, and to the contents of the Environmental Report, Ecological Impact Statement, Natura Impact Statement and the mitigation measures identified therein, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or have a significant negative impact on the landscape, would not seriously injure the residential amenity or depreciate the value of property in the vicinity, would not give rise to a risk of pollution, would not give rise to a significant fire hazard or risk of explosion, would be acceptable in terms of traffic safety, and would not be prejudicial to public health. 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 submitted on 23<sup>rd</sup> day of October, 2020, 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 the 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. All mitigation measures identified in the Environmental Report, Natura Impact Statement and Ecological Impact Assessment Report and other plans and particulars submitted with the planning application shall be complied with.

**Reason:** In the interests of clarity and the protection of the environment.

3. Details of all external finishes of the battery storage containers and the control building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the visual amenities and landscape character of the area.

4. Details of advance signage to be provided on Local Road L8280 shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.



**Reason:** In the interest of traffic safety.

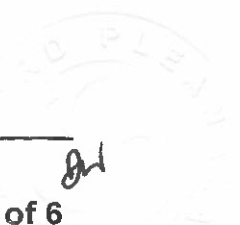
5. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, off-site disposal of construction/demolition waste, traffic management, measures for the storage of oils and fuels on site, and measures for the protection of ground and surface waters.

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

6. Details of the proposed reinforcement planting to the northern and north-western site boundaries and the planting within the riparian buffer zone shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

7. (a) This permission shall be for a period of 15 years from the date of this Order. The battery storage units, control building and all related development shall then be removed from the site unless, prior to the end of the appropriate period, planning permission for the retention of the development has been obtained.



- (b) A decommissioning strategy for the proposed development and a site restoration plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To enable the impact of the development to be re-assessed having regard to changes in technology over the period of the permission and to ensure the satisfactory restoration of the site in the interest of visual amenity.

8. Within six months of the date of this Order, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory restoration of the site in the interest of visual and residential amenity.

9. Site development and building works shall be carried out only between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between 0800 and 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential 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.

A handwritten signature in blue ink, appearing to read 'Dave Walsh', is written over a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a central emblem.

**Dave Walsh**

**Member of An Bord Pleanála**

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

Dated this 11<sup>th</sup> day of February 2022.