

An
Bord
Pleanála

Board Order ABP-318306-23

Planning and Development Acts 2000 to 2022

Planning Authority: Carlow County Council

Planning Register Reference Number: 23/60159

Appeal by EEPV8 Limited care of RPS Group Limited of Innishmore, Ballincollig, County Cork against the decision made on the 25th day of September, 2023 by Carlow County Council to refuse permission.

Proposed Development: Extension of the operational lifespan of a solar farm permitted by Carlow County Council under planning register reference number 22/118 from 35 number years as permitted (by reason of condition number 3 of permission under planning register reference number 22/118) to 40 number years at Kilcarrig, Bagenalstown, County Carlow.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the provisions of national and regional policy objectives in relation to renewable energy,
- (b) the provisions of the Carlow County Development Plan 2022-2028,
- (c) the planning history and existing permitted development on the site, and
- (d) the nature and scale of the proposed development,

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 support the provisions of the Carlow County Development Plan 2022-2028 particularly in relation to renewable energy and solar energy, would not seriously injure the residential amenities of property in the vicinity, would not have significant adverse impacts on the environment, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

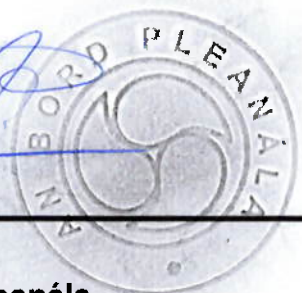
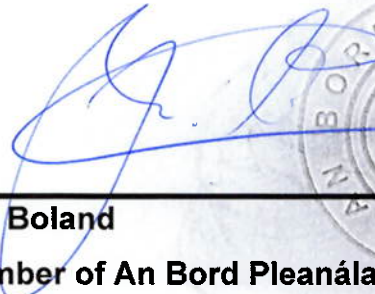
Conditions

1. (a) This permission shall be for a period of 40 years from the date of commissioning of the solar farm permitted herein. The solar farm, including solar panels and related infrastructure and ancillary structures, shall then be removed from the site unless, prior to the end of the 40 years, planning permission shall have been granted for their retention for a further period.
- (b) Prior to commencement of development, a detailed restoration plan, including a timescale for its implementation, providing for the removal of the solar farm, including solar panels and all related infrastructure and ancillary structures, shall be submitted to the planning authority for written agreement.
- (c) On full or partial decommissioning of the solar farm, or if the development ceases operation for a period of more than one year, the solar farm, including solar panels and all related infrastructure and ancillary structures, shall be dismantled and permanently removed from the site. The site shall be restored in accordance with the restoration plan required under part (b) of this condition, and all decommissioned structures shall be removed within three months of decommissioning.

Reason: To enable the planning authority to consider the impact of the development over the stated time period, having regard to the circumstances then prevailing and in the interest of orderly development.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted under planning register reference number 22/118 and any agreements entered into thereunder.

Reason: In the interest of clarity and in order to ensure that the overall development is carried out in accordance with the previous permission.



Joe Boland

Member of An Bord Pleanála

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

Dated this *15th* day of *September* 2024.