

An  
Bord  
Pleanála

**Board Order**  
**ABP-320058-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20240452**

**Appeal** by Peter Sweetman on behalf of Wild Irish Defense CLG of PO Box 13611, Bantry, County Cork against the decision made on the 5<sup>th</sup> day of June, 2024 by Wexford County Council to grant subject to conditions a permission to the EPA (Environmental Protection Agency) care of Tipperary Energy Agency of 93 Silver Street, Nenagh, County Tipperary in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** An 88 kilowatt ground mounted solar PV array at Johnstown, Rathaspick, County Wexford.

## **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.**

## **Reasons and Considerations**

Having regard to:

- (a) Policies ED43 (Energy Efficiency), ES03, ES05 and ES06 (Solar Energy) of the Wexford County Development Plan 2022-2028,
- (b) the location of the proposal in an area determined to be open for consideration for solar farm development in map number 6 in Volume 10 of the Wexford County Development Plan 2022-2028,
- (c) the nature and scale of the proposed development,
- (d) the submissions on file, and
- (e) the report of the Planning Inspector,

it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the policies in respect of renewables set out in the development plan and would be in accordance with the proper planning and sustainable development of the area.

## **AA Screening**

The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. Having carried out Screening for Appropriate Assessment of the project, the Board concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on Wexford Harbour and Slobbs Special Protection Area (Site Code: 004076) or

Slaney River Valley Special Area of Conservation (Site Code: 000781), or any other European site, in view of the sites' Conservation Objectives, and Appropriate Assessment (submission of a Natura Impact Statement) is not therefore required. The Board, in reaching this conclusion, has considered all qualifying interests of the above-mentioned European Sites (having noted the error in Table 1 of Appendix 2 of the Inspector's Report, the Board referred to Table 4 of the applicant's 'Appropriate Assessment Screening' report that contained the full list of the qualifying interests of the Slaney River Valley Special Area of Conservation).

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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.

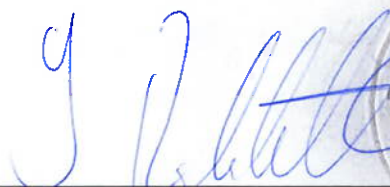
**Reason:** In the interest of clarity.

2. (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission,
- (b) the solar panels shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission, and
- (c) all cables within the site shall be located underground.

**Reason:** In the interest of clarity and visual amenity, to allow wildlife to continue to have access to and through the site, and to minimise impacts on drainage patterns and surface water quality.

3. (a) This permission shall be for a period of 30 years from the date of the first commissioning of the solar array. All structures shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
- (b) Prior to commencement of development, a detailed Site Restoration Plan providing for the removal of the solar arrays and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
- (c) On decommissioning, or if the solar array ceases operation for a period of more than one year, the solar arrays and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within six months of decommissioning.

**Reason:** To enable the planning authority to review the operation of the solar array over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.



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**Tom Rabbette**

**Member of An Bord Pleanála**

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

**Dated this 11<sup>th</sup> day of Nov. 2024.**