



An  
Bord  
Pleanála

## Inspector's Report ABP 307042-20

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<b>Development</b>	Installation of 1300 Solar PV panels on the roof of 2 no. existing potato storage sheds.
<b>Location</b>	Braystown, Lobinstown, Navan, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	LB/191460
<b>Applicant</b>	Meade Potato Company
<b>Type of Application</b>	Solar Energy
<b>Planning Authority Decision</b>	Grant Permission with Conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Johnathon McKeever and others.
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	24 <sup>th</sup> August 2020
<b>Inspector</b>	Brendan Coyne

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## 1.0 Site Location and Description

1.1. The site (2.92 ha) is located on the western side of the Braystown Road (L-56001), in the rural townland of Braystown, c.7.2km south-east of Drumconrath and c.18km north-east of Kells. The site is also accessed from the local road L-1603 to the west via a dedicated road. The site is occupied by 'Meade Potato Company' which grows, packs and distributes fresh and frozen vegetable products. The subject premises comprise a large agri-business building used for production, loading, distribution and chilled storage. The premises has a multi-pitched roof profile set behind a raised parapet on three sides and its elevations comprise green coloured steel cladding. Other structures on the site include office / staff welfare portacabins, external car parking and storage areas. The eastern roadside boundary along the Braystown Road is defined with a low-rise metal fence, sliding gate and dense mature trees and hedgerow. The south-eastern boundary is defined with a raised grassed bank and trees. The north-western boundary is defined with dense trees and hedgerow. Other structures within the applicant's landholding include a large office / warehouse / distribution premises further to the west, car parking areas and a wind turbine. The character of the surrounding area is characterised with one-off rural housing and agricultural buildings.

## 2.0 Proposed Development

2.1. Permission sought for the following;

- Installation of 1,300 solar photovoltaic (PV) panels on the roof of 2 no. existing potato storage sheds,
- Ancillary site works and services.
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## 3.0 Planning Authority Decision

### 3.1. Decision

Meath County Council granted permission for the proposed development subject to 10 no. Conditions. Noted Conditions include:

Condition No. 2 At the end of the first year of operation, submit for agreement a post construction glint and glare assessment.

Condition No. 8 Submit a Construction Environmental Monitoring Plan and requirements regarding dust, refuelling, noise and complaints register.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

#### 3.2.2. *Initial Report (19/12/2019)*

- The proposed development is permitted in principle under policy EC Pol 3 of the Development Plan.
- Details have not been provided on the output or intended use of the proposed solar PV panels.
- Given the existing HGV's which use the site, the movements required to facilitate the construction of the proposed development would not impact on the local road network.
- The Applicant did not submit any documentation in relation to glint and glare.
- Recommendations of the Environment Section report detailed including the requirement that the Applicant submit a glint and glare assessment and a Construction Environmental Monitoring Plan.

#### 3.2.3. *Further information was requested requiring the following:*

1. Submit a glint and glare assessment of the proposal, assessing the impact of the panels on sensitive transportation, aviation and residential receptors in the area.
2. Detail the electrical output of the proposed panels and whether the energy will be used on site or not. Details to include additional plant required for the conversion of electricity, their location and noise output (if any).

#### 3.2.4. **Second Report (02/03/2020)**

- Details of the glint and glare assessment report provided including the following:
  - Only one dwelling has the potential for glare impact from the proposal and this would be negligible due to the low duration of glare, a maximum of 14 minutes daily. There is a certain amount of screening between the proposed development and this dwelling.
  - All other dwellings do not have a line of sight of the proposal.
  - In relation to road receptor, the report identifies that 29 of 85 road sample points could potentially experience glare. The report states that any glare being experienced would require the driver to turn their head away from the direction of travel.
  - The potential impacts are considered negligible.
- The electrical output of the proposal will be used on site and will account for 7.75% of the facility's demands.
- Inverters are to be located centrally on the roof of the building. These will not have a visual impact.

#### 3.2.5. **Other Technical Reports**

**Environment Section:** No objection subject to Conditions.

**Water Services:** No objection subject to Conditions.

**Conservation Officer:** No objection subject to Conditions.

#### 3.2.6. **Prescribed Bodies**

**Irish Water:** No objection subject to Conditions.

**Irish Aviation Authority:** No observations to make on this application.

**Health Service Executive (H.S.E.):** Observations summarised as follows:

- (i) The applicant did not assess the impact of glint and glare from the proposed panels on residential dwellings in the surrounding area.

- (ii) Details have not been submitted regarding plant and equipment required to convert solar power to electricity. The environmental impact of this equipment should be assessed for noise and other emissions which may affect the receiving environment or local residents.

## 4.0 Planning History

**P.A. Ref. LB200130** CURRENT APPLICATION – Permission sought for a farm distillery & farm shop with associated retail area, café, exhibition space, associated parking, warehousing and septic tank system. Further Information requested on the 29/04/2020.

**P.A. Ref. LB191307** Permission GRANTED in August 2020 for an extension to the north west of the existing potato storage shed to consist of ancillary first floor office accommodation and all associated works.

**P.A. Ref. LB190697** Retention Permission GRANTED in September 2019 for amendments to the development permitted previously under P.A. Ref. LB151080 (extension to side of existing potato storage shed). Amendments comprise the re-siting of the extension 18 metres south west (away from public road) on site and minor alterations as constructed, together with the retention of a previous extension to the south west of the existing potato storage shed as constructed and all associated works.

**P.A. Ref. LB190700** Permission GRANTED in September 2019 for the retention of extensions to the side of the existing potato/vegetable storage shed (granted under P.A. Ref. SA100855) as constructed and all associated works.

**P.A. Ref. LB151080** Permission GRANTED in January 2016 for an extension to the side of existing potato storage shed and all associated works.

**P.A. Ref. LB151079** Permission GRANTED in January 2016 for an extension to the rear of the existing potato/vegetable storage shed revised, from that granted permission under Ref. No. LB/140987 and all associated works.

**P.A. Ref. SA121026** Permission GRANTED in May 2015 for a potato/vegetable storage shed extension and associated covered yard to rear of existing building and all associated works.

**P.A. Ref. LB/140987** Permission GRANTED in April 2015 for an extension to side and rear of existing potato/vegetable storage shed and all associated works.

**P.A. Ref. SA100855** Permission GRANTED in January 2011 for the retention of an existing car parking and lorry parking bays as constructed, together with permission for a proposed potato/vegetable storage shed with attached 3 storey office block accommodating a reception, offices, canteen, staff and toilet facilities to replace existing office/toilet accommodation on site with associated car parking and provision of a new proprietary effluent treatment system and soil polishing filter to replace an existing septic tank and all associated works.

**P.A. Ref. SA100520** Permission GRANTED in September 2010 for a storage/packing area to the rear of the premises (previously in open yard area), primary treatment and storage unit for potato wash water, placement on site of 4 portacabin type structures and smoking area and their use in connection with Meade Potato Company all as constructed, and all associated works.

**P.A. Ref. SA901253** Permission REFUSED in Oct. 2009 for a storage/packing area to the rear of premises (previously in open yard area), a primary treatment and storage unit for potato wash water, placement on site of 4 portacabin type structures and smoking area and their use in connection with Meade Potato Company all as constructed and all associated works.

**P.A. Ref. SA802918 / PL 17.232871** Permission GRANTED ON APPEAL in August 2009 for a private roadway, entrance onto a public road and realignment of public roads (L - 1603/L - 5601) and all associated works.

**P.A. Ref. SA802526** Permission GRANTED in Oct. 2008 for an ESB substation/customer switch room building

**P.A. Ref. SA95122** Permission GRANTED in March 1995 to construct a potato refrigeration store.

**P.A. Ref. SA50447** Permission REFUSED in January 2006 for the construction of a three-storey office unit.

**P.A. Ref. SA941229** Permission GRANTED for alterations to front elevation and to raise roof of existing dwelling to provide dormer accommodation.

**P.A. Ref. SA70499** Permission REFUSED in August 2007 for the construction of a three-storey office unit.

**P.A. Ref. SA901317** Permission GRANTED in December 1990 to erect a potato packaging and storage unit.

**P.A. Ref. SA20301** Permission GRANTED in March 2003 for the construction of a potato and vegetable store and the retention of loading bay and store to rear of premises.

## 5.0 Policy and Context

### 5.1. Development Plan

**Meath County Development Plan 2013 - 2019** is the statutory plan for the area. The following provisions are considered relevant:

**Zoning:** The site is located on un-zoned land, outside a zoned town.

**Policy ED POL 19** To recognise the contribution of rural employment to the overall growth of the economy and to promote this growth by encouraging rural enterprise and diversification generally and to promote certain types of rural enterprise, especially those activities which are rural resource dependent, including renewable energy production, food production / processing and the extractive industries.

**Policy ED POL 20** To normally permit development proposals for the expansion of existing authorised industrial or business enterprises in the countryside where the resultant development does not negatively impact on the character and amenity of the surrounding area. In all instances, it should be demonstrated that the proposal would not generate traffic of a type and amount inappropriate for the standard of the access roads. This policy shall not apply to the National Road Network.

**Policy EC POL 1** To facilitate energy infrastructure provision, including the development of renewable energy sources at suitable locations, so as to provide for the further physical and economic development of Meath.

**Policy EC POL 3** To encourage the production of energy from renewable sources, such as from biomass, waste material, solar, wave, hydro, geothermal and wind energy, subject to normal proper planning considerations, including in particular, the



potential impact on areas of environmental or landscape sensitivity and Natura 2000 sites.

**Policy EC POL 6** To encourage that development proposals maximise energy efficiency through siting, layout, design or which incorporate best practice in energy technologies, conservation and implementation of smart technology.

## 5.2. **European, National and Regional Policy**

**European Union Directive 2009/28/ED** – This Directive promotes the use of energy from renewable resources and requires Member States to adopt, and report on, a national renewable energy action plan.

**National Renewable Energy Action Plan (NREP)** – This Plan sets out how the Government has set a target of 40% electricity consumption from renewable sources by 2020.

**National Planning Framework - National Policy Objective 55** seeks to promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

## 5.3. **Natural Heritage Designations**

- 5.3.1. The site is located 6.3km to the north-west of the River Boyne And River Blackwater SPA (Site Code: 004232) and SAC (Site Code: 002299).

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

- 6.1.1. A third-party appeal was received from Johnathon McKeever, Mary McKeever, Oliver Gerard McKeever and Bernice McKeever, who reside at 2 no. dwellings on lands to the east of the site. The following is a summary of the grounds of appeal.

- The application is invalid as it was not advertised in accordance with the Planning and Development Regulations 2001 (as amended).
- The application was not advertised by way of site notice within 2 weeks prior to the making of the application.
- The public notice was not displayed at both entrances to the site. A site notice was not erected at the western main entrance.
- The erected public notice was not easily visible.
- The development description is not consistent on the public notices.
- The company Directors are incorrectly listed.
- Project splitting and piecemeal development is occurring on the site. Reference made to a recent application Ref. LB200130.
- The existing development on site is industrial in use and not agricultural.
- The proposed development would comprise an intensification of industrial development in an agricultural zoned area.
- The existing development on site materially contravenes the Development Plan. No further extension or intensification of use should be granted permission.
- The existing shed to which the proposed panels would be attached was previously subject to a retention application.
- The existing cooling equipment on the roof of the shed and other sheds on the site are unauthorised development and should be subject to enforcement proceedings.
- Concerns with regards vibration emanating from the existing shed.
- Absence of detail with regards the angle, positioning and orientation of the proposed panels.
- The proposal, by reason of its lower position in the surrounding countryside, would adversely impact road users and occupants of dwellings in the surrounding area by way of serious glint and glare impact.
- The proposal would adversely impact on the character and landscape of the surrounding countryside.

- The Glint and Glare report submitted is limited in scope and focuses solely on glare.
- Glint is not considered in the report and its impact on surrounding dwellings. A specific glint report should be provided.
- Glint is potentially more dangerous / invasive / irritating than glare as there is more capacity for it to happen throughout the day, particularly for road users and occupants of surrounding homes.
- The report confirms that the proposed solar panels would create glare impact on road users and the homes of the Appellants.
- The proposal would create glare impact on road users at 2 different roads for a few seconds. Such glare would endanger traffic and pedestrian safety.
- The Glare report does not consider all road users.
- The Glint and Glare report does not give consideration to the road running to / from the Appellant Johnathan McKeever's house.
- Concerns with regards assumptions in the report and projected v. actual duration, severity and location of glare impact.
- There is no screen / foliage preventing line of sight of the solar panels from Mary, OG and Bernice McKeever's house.
- The home of Johnathon McKeever is located on an elevated site and has direct line of sight of the structures on site and proposed panels.
- The assessor of the Glint and Glare report is not independent.
- The proposal will result in additional noise and would contribute to the existing noise on site which is extremely invasive and excessive.
- The proposal would impact on the value of neighbouring property.
- The appellants suggest that there are other sheds on the site which may be suitable for the location of the proposed solar panels.
- The proposal would be contrary to the County Development Plan.

6.1.2. Documentation submitted with the appeal includes;

- Aerial photographs showing the location of the appellants dwelling in relation to the appeal site.
- Views of the appeal site from the Appellants dwellings.

## 6.2. **Applicant Response**

6.2.1. The Applicant did not respond to the grounds of appeal.

## 6.3. **Planning Authority Response**

6.3.1. The Planning Authority confirms that the proposed development is consistent with the policies and objectives of the Meath County Development Plan 2013-2019.

## 6.4. **Observations**

6.4.1. None

## 7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Visual Impact
- Glint and Glare
- Procedural Issues
- Appropriate Assessment

## 7.2. **Principle of Development**

7.2.1. The Appellants object to the proposed development on the grounds that the existing development on the site is industrial and not agricultural in use, and that the proposal would comprise an intensification of such industrial use. Furthermore, the Appellants

express concern that recent planning applications on the site have resulted in project splitting and piecemeal development occurring. The Appellants also state that unauthorised development has occurred on the site with reference to cooling equipment on the roof of a shed and other unauthorised sheds on the site.

7.2.2. The planning history for the permitted development on the site is summarised in Section 4.0 above. It is not within the remit of this appeal to address the nature and use of previously permitted development. Notwithstanding this, it is evident from the planning history that the existing permitted development on site comprises an agri-business and that the proposed development would be ancillary to this use. Any unauthorised development at the site should be dealt with by enforcement proceedings, which is a function of the Council. I do not consider that the proposal comprises piecemeal development or project splitting, as put forward by the Appellants. The nature of the proposed development is not a noise generating activity. Concerns with regards noise emanating from the existing premises is a matter for the Environment Section of the Local Authority.

7.2.3. The proposed development comprises the installation of 1,300 solar photovoltaic (PV) panels on the roof of 2 no. existing potato storage sheds. The applicant details that the electrical output of the proposed solar panels would contribute to 7.75% of the total annual energy demand of the agri-business on site. It is my view that the nature, use and renewable energy output of the proposed development is in accordance with policies EC POL 1 and EC POL 3 of the Meath County Development Plan which encourage the production of solar energy. Such development would be in accordance with the National Planning Framework's National Strategic Outcome 8 which promotes the use of solar energy and would contribute towards Ireland's target that 40% of energy consumption come from renewable sources by 2020, as set out under the National Renewable Energy Action Plan (submitted under Article 4 of Directive 2009/28/EC). I recommend, therefore, that the appeal should not be upheld in relation to this issue.

### 7.3. **Visual Impact**

7.3.1. The Appellants object to the proposed development on the grounds that it would adversely impact on the character and landscape of the surrounding countryside.

- 7.3.2. The proposed development is situated in a rural area of the 'North Navan Lowlands' landscape character area, as described in Appendix 5 of the Development Plan. This area is described as an attractive landscape characterised with an undulating topography, a network of agricultural fields with tree and hedgerow field boundaries and rural housing. The surrounding road network is mostly tertiary with its rural roads bound with trees and hedgerow. The nearest primary roads are the N52, located c.3.9km to the north-west and the N2 located c.6.1km to the north-east. The 'North Navan Lowlands' is designated in the Development Plan as having a 'moderate' landscape value, a 'medium' landscape sensitivity and a 'regional' landscape importance. There are no designated protected views or prospects in the surrounding area.
- 7.3.3. The topography of the site itself slopes gently in a southerly direction. Its south-eastern boundary is defined with a raised grassed bank and trees and its north-western boundary is defined with dense trees and hedgerow. I noted during site inspection that the applicant has planted a line of trees along the inside of the western side of the Braystown Road, to the south of the site entrance, supplementing the already dense roadside trees and hedgerow. The applicant has also planted a line of trees along the field boundary to the south of the appeal premises, from the Braystown Road to a point aligning with the eastern elevation of the subject premises.
- 7.3.4. The proposed 1,300 solar photovoltaic (PV) panels will be mounted on the roof of the distribution building. This building has a multi-pitched roof profile incorporating rooflights, which is set behind a raised parapet with a height of 8.7m - 9.5m, varying due to the gradient of the site. The panels will be laid in 4 no. arrays on the south-eastern double pitched roof slope and 2 no. arrays on the south-western single pitched roof slope of the premises. The south-eastern roof has a total length of 77.5m and a width of 38.4m. The south-western roof has a length of 58.5m and a width of 21.8m. Each solar panel has a length of 1.6m and a width of 0.9m.
- 7.3.5. The elevation drawings detail that the solar panels would not be visible from the south-west, north-east and north-west by reason of the raised parapet around the roof of the premises. Thus, the only visible section of the proposal would be the solar panels along the south-eastern side roof slope (in particular Array 6 as detailed on the Glint and Glare Study submitted) which is not screened with a parapet. The pitched roof

slope with the proposed solar panels attached would rise c. 0.7m above the roof ridge along this elevation.

7.3.6. Having regard to the context of the site, I consider that the scale and extent of the existing large agri-business buildings on the site has already altered the rural landscape at this location. Having inspected the site and surrounding area, I found that the subject premises is largely not visible from the local roads to the west and north-west of the site and is screened to a significant extent by roadside trees and hedgerow on approach along the local road to the east of the site. There are distant views of the site from the south-east. Given the low profile of the proposed solar panels aligning with the roof profile of the premises and the raised parapet which screens the proposal on two sides, it is my view that the scale and height of the proposed development would not be visually obtrusive or represent an incongruous or dominant feature in the landscape. The proposed control panel and 4 no. smart string inverters are centrally located on the roof and therefore would not be visible from the surrounding area. I consider, therefore, that the proposed development would not further detract from the character and visual amenity of the surrounding rural area. I recommend, therefore, that the appeal should not be upheld in relation to this issue.

#### **7.4. Glint and Glare**

7.4.1. The Appellants object to the proposed development on the grounds that the proposal would adversely impact road users and occupants of dwellings in the surrounding area by way of serious glint and glare. The Appellants put forward deficiencies in the Glint and Glare Report submitted, with regard the following;

- Absence of detail with regards the angle, positioning and orientation of the proposed panels.
- The report does not consider Glint.
- The report does not consider all road users e.g. pedestrians.
- The report does not give consideration to the road running to / from the Appellant Johnathan McKeever's house.
- The assessor of the report is not independent.

- Concerns with regards assumptions in the report and projected v. actual duration, severity and the location of glare impact.

7.4.2. The Glint and Glare study submitted with the application was prepared by ‘Innovision’. The Study details that Innovision are certified Forge Solare ‘glare experts’, stated as being the only glint and glare assessor qualification available internationally. Key elements of the study detail the following;

- The study assesses the ocular impact of nuisance glare emanating from sunlight reflections from the proposed solar PV panels and its potential to cause nuisance or discomfort to users of the surrounding environment.
- Receptors considered for assessment include nearby residential dwellings, roads, railway lines, aerodromes and associated infrastructure.
- A study area of 1km from the site boundary was chosen for the study.
- There are 39 no. residential dwellings in the study area.
- 85 no. receptor points were assessed along minor roads in the study area.
- There are no railways lines within the study area or aerodromes within 15km of the site.
- The proposed solar panels will be pitched between 4 and 10 degrees from the normal and orientated at various angles depending on the roof.
- Details are provided on receptor identification and selection, preliminary visibility assessment, geometric analysis, determination of impact and an interpretation and discussion of results.
- Tables 1-12 in conjunction with Maps 1 & 2 provide an overview of the findings of the glint and glare for each of the residential and road receptor points. Details for each receptor include theoretical potential for glare, average daily duration, max. daily and max. annual duration, potential times affected, potential dates affected, receptor screening and actual potential for glare.
- Assumptions are based on Irish Standard Time allowing for Daylight Savings Time and the glare analysis does not account for physical obstructions between reflectors and receptors, including buildings, tree cover and geographic obstructions.



7.4.3. Key findings of the study area include the following;

- Due to the elevation of the proposed solar panels and the parapet surrounding the top of the building, very few of the ground receptors have the potential to experience glare from the proposed solar arrays.
- For most receptors, line of sight of the solar panels cannot be achieved due to the parapet and intervening vegetation.
- Only 1 of the 39 assessed residential receptors have the potential to receive low levels of glare, specifically from Array 6. This house is identified as H17 (a dwelling located to the south-east along the Braystown Road). Any glare experienced at this receptor would be negligible due to the low duration, a maximum of 14 minutes daily and a certain amount of intervening screening in the form of vegetation and partial parapet screening.
- Of the 85 assessed road receptors, only 6 of the assessed road receptor points have the potential to receive glare. These include receptors R33,34,36,49,50 and 51 along the road to the south-east of the site.
- The theoretical analysis suggests that 29 of the 85 road sample points could potentially experience glare, however in reality the solar panels are extremely well screened from road users due to local topography and vegetative screening.
- There are small sections of the road to the south-east of the site with the potential to experience glare.
- Drivers travelling in a northerly direction between points R36 and R33 have the potential to experience fleeting glimpses of glare on a sunny evening between 17:37 and 21:12, for a maximum average of 8.1 minutes per day from mid-February to the end of October. The source of this glare would emanate from Array 6 and any views would be fleeting and partial in nature.
- Drivers travelling in a westerly direction between points R49 and R51 have the potential to experience distant fleeting glimpses of glare from array 4 and 6 on sunny evenings between 19:46 and 20:48, for a maximum average of 11.4 minutes per day from early May to early August. From field-based analysis, it was determined that this section of road has limited views into the site and any views

would be fleeting and partial in nature. A driver would have to turn their head away from the direction of traffic in order to experience glare from the solar arrays.

- The report concludes that duration and magnitude at the above mentioned receptor points would be negligible by Innovision's classifications, as set out in the report.
- From an analysis of historical sunshine data near the site, the number of days of potential glare experienced at each receptor could realistically be reduced by 65% and still offer an overstated prediction of glare.

7.4.4. Having reviewed the Glint and Glare Study, I am satisfied that adequate information has been submitted in order to adequately assess the proposal. Sufficient detail has been provided with regard the angle and positioning of the proposed panels and the report adequately addresses both glint and glare in its assessment. The Study states that Innovision has created a methodology for assessing glint and glare based on best international practice and guidance, with details provided. I note the study's point that there is currently no guidance, policy or recommendations in relation to the assessment of glint and glare effects on aviation, road and rail users or residential dwellings in the Republic of Ireland. In the absence of such guidance and evidence to demonstrate otherwise, I am satisfied that the methodology used in the Glint and Glare Study is acceptable.

7.4.5. Having inspected the site and surrounding area, I found that the subject premises is largely not visible from the local road network to the west and north-west of the site and is screened to a significant extent by roadside trees and hedgerow on approach along the local road network to the east of the site. With regards impact of glint and glare on house receptor H17 (one of the Appellant's dwellings), I noted during site inspection that the proposed solar panels would not be visible from the ground floor front window opes of this dwelling by reason of the dense roadside tree and hedgerow vegetation opposite the dwelling. While first floor windows opes of this dwelling may have the potential to experience a low level of duration of potential glare, a maximum of 14 minutes daily as detailed in the study submitted, it is my view that this duration is not significant and will be further minimised by the line of trees planted opposite this dwelling along the Braystown Road, within the applicant's landholding.

7.4.6. Having regard to the limited period for a potential negative impact from glint and glare on the surrounding road network, the dense tree and hedgerow vegetation screening

road receptor Nos. R33,34,36 and given the orientation of the road with receptor Nos. 46-55 in relation to the proposal, I am satisfied that the proposed development would not result in a traffic hazard. In the event that the Board may consider otherwise, the Board may wish to consider imposing a Condition requiring the erection of a parapet along the south-eastern elevation of the subject premises matching that of the existing parapet around its other sides. Such a parapet would screen the solar panels to a greater extent and mitigate glint and glare impact. Alternatively, I recommend that a Condition be imposed requiring that the proposed solar panels provide an anti-reflective coating, which would minimise glint and glare impact.

## **7.5. Procedural Issues**

- 7.5.1. The Appellants object to the proposed development on the grounds that the application submitted to the Planning Authority did not comply with the requirements of the Planning and Development Regulations 2001 (as amended) with regards the erection, location and visibility of site notices, the description of the proposed development on public notices and the inaccurate listing of company directors. On this basis, the Appellants put forward that the application submitted is invalid.
- 7.5.2. It is my view that this ground of appeal is a validation issue which is the function of the Planning Authority. I am satisfied that this did not prevent the concerned party from making representations to the Council on the proposed development. The third-party appellants have made a valid planning appeal to An Bord Pleanála and the issues raised in this objection are addressed above.

## **7.6. Appropriate Assessment**

- 7.6.1. Having regard to nature and scale of the proposed development, the nature of the receiving environment and the distance (6.3 km) and lack of connections to the nearest European site, the River Boyne And River Blackwater SPA (Site Code: 004232) and SAC (Site Code: 002299), no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

8.1. I recommend that permission be granted subject to conditions, for the reasons and considerations below.

## 9.0 Reasons and Considerations

9.1. Having regard to the location, nature and scale of the proposed development, to the provision of the Meath County Development Plan 2013 - 2019 and to national targets for renewable energy it is considered that, subject to compliance with the conditions set out below, the proposed solar panels would not seriously injure the visual and residential amenities of the area, would not give rise to nuisance from glint and glare, would not endanger aviation safety and would be acceptable in terms of landscape impacts and of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>The proposed 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 the 05<sup>th</sup> day of February 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 commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	<p>Details to be submitted shall include the provision of an anti-reflective coating to the proposed solar panels.</p> <p><b>Reason:</b> In the interest of visual amenity and to prevent glint and glare.</p>
3.	<p>Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>The construction of the development shall be managed in accordance with a Construction 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 but not limited to, hours of working, noise and dust management measures, the management of construction traffic and off-site disposal of construction waste.</p> <p><b>Reason:</b> In the interests of public safety, residential amenity and protection of the environment.</p>

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Brendan Coyne  
 Planning Inspector

26<sup>th</sup> August 2020