

Decisions on planning applications accompanied by an Environmental Impact Assessment Report (EIAR)

Notice is hereby given pursuant of Part II, Amendment of Miscellaneous Enactments of S.I. No. 352; Section 10 of the European Communities (Public Participation) Regulations 2010, Section 34(1A) of the Planning Development Act 2000 (as amended) and Section 172(1) of the Planning Development Act 2000 (as amended), that

Kildare County Council made a decision to **REFUSE** planning permission for the following on the **22nd October 2019**

Planning Ref: 18/1514

Applicant: Bord na Mona Powergen Ltd., and ESB Wind Development Ltd.

Development :

(a) The construction and operation of 2 areas of solar photovoltaic arrays mounted on metal frames over an area of approximately 200ha, and having a maximum overall height of 3 metres over ground level; (b) Internal solar farm underground cabling; (c) 2 no. temporary construction compounds; (d) recreation and amenity works, including looped walk (upgrade of existing tracks and provision of new tracks, car parking and vehicular access); (e) 1 no. Battery Storage compound; (f) upgrade of existing tracks and provision of new site access roads; (g) site drainage; (h) forestry felling and replanting; (i) permanent signage; and (j) all associated site development and ancillary works. The proposed renewable energy development will have an operational life of 35 years from the date of commissioning. The overall renewable energy project also includes the provision of a 110kV substation with associated electrical plant, welfare facilities, waste water holding tank, security fencing, upgrade of existing tracks and provision of new site access roads, 110kV overhead line grid connection cabling with associated angle lattice masts and supporting polesets and all ancillary works, which is subject to a separate planning application made directly to An Bord Pleanála in accordance with Section 182A of the Planning and Development Act 2000 (as amended). An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) has been prepared in relation to the project and accompanies this planning application. Revised by significant further information consisting of; Further Information Response Report; Updated Environmental Impact Assessment Report and Appendices; Updated Natura Impact Statement; Amended Planning Application Drawings, showing; amended access/amenity track (relocated to accommodate Marsh Fritillary habitat), updated amenity signage, clarification of road sectional drawings, additional substation cross section drawing. Updated photomontage booklet.

Kildare County Council made a decision to **REFUSE** planning permission for the following on the **22nd October 2019**.

Location of Development: Townlands of Drehid, Mulgeeth, Ballynamullagh, Mucklon, Kilmurray (Carbury By), Killyon and Timahoe East, County Kildare.

The applicant and any person who made submissions or observations in writing to the planning authority in relation to the planning application in accordance with Section 37(1) of the Planning and Development Acts, 2000 (as amended) may appeal such a decision to An Bórd Pleanála.

A person may question the validity of any decision of the planning authority by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with section 50 of the Planning and Development Act 2000 as amended.

A person may question the validity of any decision on an appeal by An Bórd Pleanála by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with Section 50 of the Planning and Development Act, 2000 as amended.

Information in relation to the making of an appeal may be obtained from An Bórd Pleanála's website at www.pleanala.ie. Also refer to Section 50 of the Planning and Development Act 2000 as amended by Sections 32 and 33 of the Planning and Development Act 2010 in relation to judicial review. General information on judicial review procedures is contained on the following website; www.citizensinformation.ie

Details with regard to the planning reference referred to in this notice may also be viewed on this website on the online planning system by entering the planning reference no. **18/1514** in the Planning File reference field.