

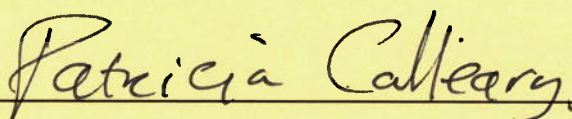
An
Coimisiún
Pleanála

Commission Direction
CD-000871
PL-500706-LS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 13 July 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:


Patricia Calleary

Date:

13th day of July 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with the relevant provisions

of the Climate Action Plan 2024 and Climate Action Plan 2025 and the Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 and the relevant sectoral adaptation plans in particular the Electricity and Gas Networks Climate Change Sectoral Adaptation Plan (2025) and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State), and otherwise had regard to:

- (a) The nature, scale and extent of the proposed development,
- (b) the National Biodiversity Action Plan 2023-2030,
- (c) National policy with regard to the development of alternative and indigenous energy sources and the minimisation of emissions from greenhouse gases, including Project Ireland 2040 National Planning Framework – First Revision (2025), the National Development Plan 2021-2030, the National Development Plan Review 2025 and the National Energy & Climate Action Plan 2021-2030,
- (d) the policies set out in the Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031,
- (e) the policies of the planning authority contained within the Laois County Development Plan 2021-2027,
- (f) the character of the landscape in the area of the site and in the wider area of the site,
- (g) the pattern of the existing and permitted development in the area,
- (h) the distance between the solar farm and surrounding dwellings and other sensitive receptors from the proposed development,
- (i) the Natura Impact Statement,

- (ii) Measures proposed for the construction, operation and decommissioning of the development,
- (k) the documentation submitted with the application and the appeal and the submissions and observations made in connection with the planning application,
- (l) the report of the Inspector.

Appropriate Assessment Stage 1

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the River Barrow and River Nore SAC (Site Code 002162) are the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment Stage 2

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the River Barrow and River Nore SAC (Site Code 002162) in view of these sites Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the

field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site specific Conservation Objectives for the European Site,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the potential effects of the proposed development on the aforementioned European Site. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Site in view of the site's Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

EIA Screening Determination

Having regard to –

- (a) The nature and scale of the proposed development, while not itself a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, includes a limited extent of hedgerow removal (a maximum of approximately 145m over the two sites – the Laois Site and the Kildare Site), thereby coming within Class 1 (a) of Part 2 of Schedule 5 of the regulations and below the threshold set out in the class,
- (b) The location of the proposed development, in a rural area, the nature of the existing site and the pattern of existing and permitted development in the surrounding area;

- (c) The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as amended;
- (d) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- (e) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended, and;
- (f) The features and measures proposed by the applicant intended to avoid or prevent adverse effects on the environment, including measures identified in the submitted Natura Impact Statement and the Planning and Environmental Considerations Report (and associated appendices), the Commission considers that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore, required.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development in an acceptable land use and would make a positive contribution to Ireland's requirements for renewable energy in accordance with national, regional and local policy. It would not have an unacceptable impact on the character of the landscape or on architectural heritage or cultural heritage, would not seriously injure the visual and residential amenities of the area including designated views and prospects and scenic routes and would be acceptable in terms of traffic and road safety. 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 planning 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 the commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest or clarity.

2. The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.

Reason: Having regard to the nature of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years.

3. (a) The permission shall be for a period of 40 years from the date of the commissioning of the solar arrays. The solar array and related ancillary structures shall then be decommissioned and removed unless, prior to the end of the period, planning permission shall have been granted for their continuance for a further period.

(b) Prior to commencement of development, a Decommissioning Statement, including a detailed restoration plan and a timescale for its implementation, providing for the removal of the solar arrays, including all foundations, anchors, concrete shoes, inverter/transformer stations, control building, CCTV cameras, fencing and site access to a specific timescale, shall be submitted to, and agreed in writing with, the planning authority. The Decommissioning Statement shall

be updated, submitted to and agreed with the planning authority prior to the commencement of decommissioning.

(c) On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations/anchors/concrete shoes, and all associated equipment, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with this plan, and all decommissioned structures shall be removed within three months of decommissioning.

Reason: To enable the relevant planning authority to review the operation of the solar farm in the light of the circumstances then prevailing.

4. The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented in full.

Reason: To protect the integrity of European Sites.

5. All of the environmental, construction and ecological mitigation measures, as set out in the Planning and Environmental Considerations Report and associated appendices, and as set out in other plans and particulars submitted with the application, shall be implemented in full by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this Order.

Reason: In the interests of clarity and of the protection of the environment during the construction and operational phases of the development.

6. The following requirements of Inland Fisheries Ireland (IFI) must be adhered to:

(i) There must be no interference with the bed, gradient, profile or alignment of any watercourse without the prior notification and the written agreement of

Inland Fisheries Ireland. Unless otherwise agreed, watercourses on or bordering the site must be maintained in their original state, their bankside vegetation preserved, and the existing line of the watercourse left unaltered.

(ii) The storage, management and conveyance of materials on site must not permit any deleterious matter to reach surface water systems either directly or indirectly, either during construction or post-construction. There must be no run-off of fuels, oils, concrete or from stockpiles of materials or general run-off to surface waters from the works.

(iii) Works in, over or adjacent to waters must comply with Inland Fisheries Ireland (IFI's) Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters (2016).

(iv) All mitigation measures outlined in the applicant's Natura Impact Statement (NIS) and Construction and Environmental Management Plan (CEMP) must be adhered to in full. Mitigation measures must be in place in advance of works commencing and remain in situ until after works have been completed.

(iv) Similarly, the method statements provided for Horizontal Directional Drilling (HDD) and installation of bottomless culverts must be adhered to in full.

(v) Buffer zones to protect aquatic zones should be clearly marked in advance of works commencing. Machines should not enter these zones, except where it is unavoidable. Nor can material stockpiles or spoil heaps be permitted within this zone. Buffer zones should not be removed until after the construction phase of the project has ended.

(vi) Records should be kept of any water monitoring undertaken during the works. Records should also be kept of inspections made of the surface water mitigation measures outlined in the applicant's documents. These records should

be made available upon request to any authorised person as defined under the Local Government (Water Pollution) Acts.

(vii) Inland Fisheries Ireland (IFI) must be informed immediately should any discharge or potential discharge of deleterious matter to a surface water body occur.

Reason: In the interests of the protection of water quality.

7. (a) The construction of the development shall be managed in accordance with a finalised Construction and Environmental Management Plan, to include a Construction Traffic 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:

- i) location of the site and materials compound(s);
- ii) location of areas for construction site offices and staff facilities;
- iii) details of site security fencing and hoardings.
- iv) details of on-site car parking facilities for site workers during the course of construction;
- v) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- vi) measures to obviate queuing of construction traffic on the adjoining road network including the provision of banksmen to facilitate safe access and egress from the site;

- vii) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- viii) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- ix) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater;
- x) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- xi) details of on-site re-fuelling arrangements, including use of drip trays;
- xii) details of how it is proposed to manage excavated soil;
- xiii) means to ensure that surface water run-off is controlled such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses.
- xiv) the community liaison details including how the developer intends to engage with relevant parties and notify the local community in advance of the delivery of oversized loads and/or HGV deliveries.

The finalised Construction and Environmental Management Plan shall also take account of the mitigation measures outlined within the Natura Impact Statement (NIS). A record of daily checks that the works are being undertaken in accordance with the Construction and Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of clarity and the protection of the environment during the construction and operational phases of the development and to ensure the protection of archaeology.

8. (i) Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(ii) The electricity control unit, inverters, and fencing shall be dark green in colour or other dark colours, details of which shall be agreed with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

9. Prior to commencement of development, the developer shall submit details to the planning authority confirming the anticipated megawatt capacity and annual electricity generation of the solar farm.

Reason: In the interest of clarity.

10. a) Existing field boundaries, including trees and hedgerow, shall be maintained and supplemented in accordance with the details submitted, except where removal is proposed to facilitate access tracks and sightlines.

b) Infill hedgerow planting shall comprise of native species. All proposed landscaping and planting shall take place in the first planting season following commencement of development and in accordance with the details proposed. The landscaping and screening shall be maintained at regular intervals. Any trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from planting shall be replaced within the next planting season by trees or hedging of similar size and species, unless otherwise agreed in writing with the planning authority.

c) Additional screening and/or planting shall be provided so as to ensure that there is no glint impact on adjoining dwellings as a result of the development, as per the mitigation measures as set out in the Glint and Glare Assessment.

Upon commissioning of the development, and for a period of two years following first operation, the developer/operator shall provide detailed glint surveys on an annual basis to the planning authority in order to confirm that no such glint impact has taken place, and shall provide such further mitigation measures, as the planning authority may specify in writing, to ensure that this is achieved.

Reason: In the interest of the visual amenities of the area.

11.

- a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
- b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
- c) Each fencing panel shall be erected such that for a minimum of 300 millimetres of its length, its bottom edge is no less than 150 millimetres from ground level.
- d) The solar panels shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission; and
- e) Cables within the site shall be located underground.
- f) No cables/services are permitted to run through or in the carriageway over a bridge/culvert structure and these should be directionally drilled under the river/watercourse away from the structure.

Reason: In the interests of clarity, visual and residential amenity, to allow wildlife to continue to have access to and through the site, to minimise impacts on drainage patterns and surface water quality, and in the interest of long-term viability of agricultural land.

12.

- a) All road surfaces, culverts, verges and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority.
- b) Prior to the commencement of construction, a road condition survey shall be taken along the full extent of the construction haul route to provide a basis for future reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.
- c) Prior to the commencement of construction, final details of the proposed haul route for the construction phase are to be agreed in writing with the Planning, unless otherwise in agreed in writing.
- d) Where any of the proposed entrances to the site are widened to facilitate access/egress by HGV's adequate drainage measures must be installed.

Reason: In order to ensure a satisfactory standard of development.

13.

- a) Details of the construction and operational access arrangements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development including the nature of the surface finishes at and near the connections of site access tracks to public roads.
- b) Any gates shall open inwards only.

Reason: In the interest of traffic safety.

14.

- a) Prior to the commencement of construction, the Applicant shall comply with the requirements of the planning authority for drainage arrangements, including the attenuation and disposal of surface water. Such works and services and shall otherwise comply with submitted Flood Risk Assessment (Appendix G of the Planning and Environmental Considerations Report).
- b) A Drainage Management Plan shall be developed for the construction and the operational phases of the development and include details of the proposed access routes and drains, which shall be submitted to the planning authority for approval prior to commencement of development.

Reason: In the interests of environmental protection and flood prevention.

15. During the operational phase of the proposed development the noise level shall not exceed

- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
- (b) 45 dB(A) 15 min and 60 dB LAfmax, 15 min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest noise sensitive location. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

16. a) Access for fire brigade vehicles shall comply with the requirements of the Chief Fire Officer.

b) Water supplies for firefighting purposes shall comply with the requirements of the Chief Fire Officer.

c) All mitigation measures/recommendations as set out in Section 14.3.7 of the Planning and Environmental Considerations Report (PECR), and as set out in the Electrical Fire Risk Report' (Appendix D of the PECR), submitted at application stage, shall be implemented in full.

Reason: In the interest of public safety.

17. Prior to commencement of development, the developer shall satisfy the requirements of Uisce Éireann in relation to their requirements for working in the vicinity of Uisce Éireann assets.

Reason: In the interest of protecting the public water infrastructure at this location.

18. All mitigation measures in relation to archaeology as set out in Section 10.7 of the Planning and Environmental Considerations Report (PECR), except as may otherwise be required in order to comply with the below conditions relating to protection of the archaeological heritage. In this regard, the developer shall retain/engage a suitably qualified Archaeologist (licensed as required under the National Monuments Act) to:

a. Carry out Archaeological Monitoring of all groundworks required for construction of the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. No ground disturbance shall take place in the absence of the Archaeologist without his/her express consent.

b. Archaeological Monitoring shall be informed and supplemented by licensed metal detection survey.

c. Should archaeological remains be identified during the course of archaeological monitoring, all works shall be suspended in the area of archaeological interest pending a decision of the Planning Authority, in consultation with the National Monuments Service of the Department, regarding appropriate mitigation (preservation in situ/excavation).

d. The developer shall facilitate the Archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the National Monuments Service of the Department, shall be complied with by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the Planning Authority and the National Monuments Service of the Department shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

All site personnel shall be apprised of the locations and sensitivities of the sub-surface archaeological features identified within the development site. This shall be done through the appropriate dissemination of the Construction Environmental Management Plan (CEMP) and Archaeological Assessment report and through pre-commencement and regular on-site toolbox talks.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

19. Prior to commencement of development, a Construction Method Statement for the erection of the proposed boundary fencing shall be submitted to the Planning Authority, for agreement in writing, which shall detail measures to

ensure the protection of the 'ha-ha' wall associated with Kilmullen House from any potential damage caused by the construction of said fencing.

Reason: In the interest of the preservation of architectural heritage.

20. The following requirements in relation to the operation and safety of the rail line shall be complied with:

- (i) The Railway Safety Act 2005 places an obligation on any 3rd party working near the railway to ensure no danger or hazard is posed to railway operations. Due to the proximity of this site to the railway corridor, the Applicant must take due consideration of this obligation during the planning and construction of the development.
- (ii) The boundary of the proposed development lies directly adjacent the Heuston to Cork Railway line. The site boundary shown on the plan drawings assumes that the property boundary to railway lands corresponds with OSi mapping or existing fence lines. This approach is unreliable and may not reflect the full extent of railway lands acquired to construct, maintain and operate the railway. It is usually the case that drainage channels running parallel to the railway at the crest of cuttings and the toe of embankments fall within the original land take for the railway corridor. It is therefore possible that the proposed development encroaches onto Iarnród Éireann lands. The Applicant should engage with the Third-Party Co-ordinator by the email 3rdpartyapprovals@irishrail.ie and provide detailed cross sections with a view to agreeing the line of the proposed boundary.
- (iii) The security of the railway boundary must be maintained at all times during construction where new boundary treatment is to be installed. Preferably the permanent boundary treatment should be completed early in the construction programme.

- (iv) At no point should the applicant or their representatives enter railway property to undertake the construction of this development. It is imperative that the railway always remains inaccessible to prevent trespassing, both during the construction phase and in the future. This includes safeguarding against unauthorized access, especially through scaffolding or any other means.
- (v) No additional liquid, either surface water or effluent shall be discharged to, or allow to seep onto, the railway property or into railway drains / ditches.
- (vi) Any proposed services that are required to cross along, over or under the railway property must be the subject of a licence agreement with Iarnród Éireann / CIÉ.
- (vii) No overhang of any part of the development over the railway property is to be allowed.
- (viii) No deciduous trees are to be planted directly along the railway boundary as they can impair the vision of train drivers or their views of signals, etc. Furthermore, falling leaves and / or leaf litter on rails can adversely affect the operation of trains by causing poor wheel / rail adhesion.
- (ix) Should you intend to cut down trees that are in proximity of the railway line such that if they were to fall towards the line, they would block it, the Applicant must contact the Third-Party Co-ordinator by the email 3rdpartyapprovals@irishrail.ie for a safe system of work to be established to undertake this works.
- (x) If any mitigation measures are required to prevent glare affecting the railway, Iarnród Éireann recommends that such measures be fully installed and established on site prior to the installation of any solar panels. This will ensure that railway safety is not compromised.

Reason: To ensure the safety of the rail line.

21. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The Resource Waste Management Plan (RWMP) shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The Resource Waste Management Plan (RWMP) must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interests of proper planning and sustainable development.

22. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

23. Prior to commencement of development, 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 on cessation of the project 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 Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

24. 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 Coimisiún 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.