

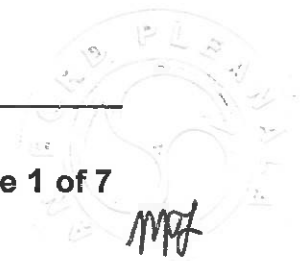
Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 19/06817

Appeal by Charleville Solar Farm Residents Group care of Cyril Hooper of Ardglass, Charleville, County Cork against the decision made on the 11th day of November, 2020 by Cork County Council to grant subject to conditions a permission to Charleville Solar Farm Limited care of Entrust Limited of Main Street, Kilcolgan, County Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: Installation of 4,387 metres of underground electricity cable between a proposed solar farm at Fiddane, Ballyhea, Charleville, County Cork and Charleville 110 kV ESB substation at Clashganniv, Ballyhea, County Cork to be installed entirely under public roads. The underground electricity cable passes through the townlands of Ardglass, Fiddane, Cooliney, Rathnacally, Farranshonikeen, Ardnageehy and Clashganniv, County Cork.



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.

Matters Considered

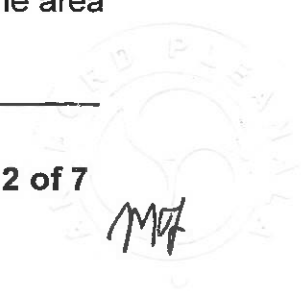
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to:

- (a) national policy with regard to the development of sustainable energy sources,
- (b) the provisions as set out in the current Cork County Development Plan, including those regarding renewable energy development, in particular Objective ED 1-1,
- (c) the location for the grid connection primarily within a road corridor, and in an area not subject to natural heritage protection,
- (d) the pattern of development along the grid connection route and the pattern of permitted development in the area, and
- (e) the limited scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area



or of property in the vicinity, would not have an unacceptable impact on the road network of the area, would not be detrimental to the natural heritage of the area, and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170) is the European site for which there is a possibility of significant effects and must therefore be subject to Appropriate Assessment.

Appropriate Assessment

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the site's Conservation Objectives (Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170)). The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's conservation objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (i) Site Specific Conservation Objectives for this European Site,
- (ii) Current conservation status, threats and pressures of the qualifying interest features

- (iii) likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, specifically the permitted Fiddane solar farm development, and
- (iv) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the implications of the proposed development on the integrity of the aforementioned European Site, having regard to the site's Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of European sites in view of the site's Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.

This conclusion is based on the following:

- A detailed assessment of all aspects of the proposed development including proposed mitigation measures in relation to the Conservation Objectives of the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170),
- An assessment of in-combination effects with other plans and projects, and
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170).

Conditions

1. The 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 17th day of April, 2020 and the 18th day of September, 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All mitigation measures identified within the Natura Impact Statement and the associated documentation submitted with the planning application shall be implemented in full.

Reason: In the interest of clarity and to protect the environment.

3. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist along the grid connection corridor. In this regard, the developer shall -
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. 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 Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this *22nd* day of *July* 2021.