

An
Coimisiún
Pleanála

Commission Order ABP-320532-24

Planning and Development Acts, 2000 to 2022

Planning Authority: Cork County Council

Application for approval under section 182A(1) of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 9th day of August, 2024 by Ballyvatta Solar Farm Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin, as amended by the further information received by An Coimisiún Pleanála on the 12th day of February, 2025.

Proposed development: The proposed development is for a ten-year permission that comprises the following:

A 110kV electrical substation and associated 110kV infrastructure required to connect a solar farm (permitted under Cork County Council Register Reference: 23/4564; which amended previous permission Register Reference: 17/5370 and ABP-300434-17) to the existing Knockraha 220kV substation.

- The substation compound will include two number single storey control buildings: An EirGrid control building (comprising relay room, battery room, workshop/store, mess room and W.C. and generator room); and,
- An Independent Power Producer control building (comprising control room, switchgear room, office, store and W.C.).

The proposal also includes:

- 110kV grid transformer and two-house transformers within bunded enclosures (height approximately six metres) and associated infrastructure;
- MV switchgear containers;
- Lightning protection masts;
- Perimeter security fencing and entrance gates;
- Security lighting;
- Telecommunication dishes;
- Underground cabling;
- Site drainage infrastructure;
- Proposed access from the L6989 to the south;
- Temporary construction compound; and
- All associated development works above and below ground including landscaping.

All in the townlands of Knockraha East, Ballynanelagh and Killeena, County Cork.

Decision

APPROVE the proposed development under section 182A of the Planning and Development Act, 2000, as amended, for the following reasons and considerations and subject to the conditions set out below, and

DETERMINE under section 182B of the Planning and Development Act, 2000, as amended, the sum to be paid by the undertaker in respect of costs associated with the application, as set out in the Schedule of Costs below.

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.
- (b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.

The Commission also had regard to the following in coming to its decisions:

- (a) the nature, scale and extent of the proposed development;
- (b) the characteristics of the site and of the general vicinity;
- (c) national, regional and local policy support for developing renewable energy, in particular;
 - the National Planning Framework,
 - the Climate Action Plan, 2025, and should be read in conjunction with Climate Action Plan 2024,
 - Government Policy Statement on the Security of Electricity Supply, 2021,
 - the Regional Spatial and Economic Strategy for the Southern Region, and
 - the Cork County Development Plan 2022 - 2028,
- (d) the distance to dwellings or other sensitive receptors from the proposed development;

- (e) the planning history of the immediate area including the adjoining Knockraha substation development;
- (f) the submissions on file;
- (g) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely effects of the proposed development on European Sites, and
- (h) the report of the Inspector.

Appropriate Assessment:

The Commission noted that the proposed development is not directly connected with, or necessary to, the management of a European Site. In completing the screening for Appropriate Assessment, the Commission accepted and adopted the screening assessment and conclusion in the Inspector's report in respect of the identification of the European Site which could potentially be affected, Cork Harbour Special Protection Area (Site Code: 004030), and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on this European Site in view of the site's conservation objectives. The Commission was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site, in view of the sites' conservation objectives.

This screening determination is based on the assessment of the nature and scale of the proposed development, the proximity of the project to the European Sites, to the nature of the qualifying interest habitats and species, and the special conservation interest species, and the conservation objectives of the European Sites, and to the available information as presented in the supporting documents regarding ground and surface water pathways and consideration of any mobile connections between the project and the European Sites, and other information available. The proposed development does not have the potential to affect any European Sites having regard

to the conservation objectives of the relevant sites, and that progression to a Stage 2 Appropriate Assessment is not required.

Proper planning and sustainable development:

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, national, regional and local planning and related policy, it would not have an unacceptable impact on the landscape or ecology, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience, and would make a positive contribution towards Ireland's renewable energy and security of energy supply requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as supplemented by the information received on the 12th day of February 2025, 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 undertaker shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out in accordance with the agreed particulars.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

2. All the environmental, construction and ecological mitigation and monitoring measures set out in the Ecological Impact Assessment and all other particulars submitted with the application and the further information received on the 12th day of February, 2025, shall be implemented by the undertaker in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this permission.

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

3. The undertaker shall appoint a suitably qualified ecologist to monitor all works relating to the proposed development and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna identified in the particulars submitted with the planning application and the further information received on the 12th day of February, 2025, are implemented in full in accordance with best ecological practice.

Reason: To protect the environmental and natural heritage of the area.

4. The undertaker shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an

archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works.

The preservation, recording and protection of archaeological materials or features that may exist within the site shall be facilitated. In this regard,

- (i) In advance of the commencement of any construction works, the undertaker shall engage a suitably qualified archaeologist to carry out Full Archaeological Excavation (licensed under the National Monuments Acts) of the archaeological site designated AA1 in the Archaeological Assessment (IAC Ltd; date July 2024).
- (ii) The Project Archaeologist shall liaise with the Department of Housing, Local Government and Heritage to agree in advance the appropriate scope for the full archaeological excavation.
- (iii) The Full Archaeological Excavation shall be carried out in accordance with Best Archaeological Practice and in accordance with an approved method statement that shall incorporate a strategy for environmental sampling, finds retrieval and conservation and subsequent publication or other suitable dissemination of results.
- (iv) If significant archaeological features are discovered during the course of the Full Archaeological Excavation, work on site shall stop pending a decision of the planning authority, in consultation with the Department, regarding appropriate additional mitigation measures which may include preservation in-situ or full archaeological excavation. Any additional archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage, shall be complied with by the undertaker.
- (v) No construction works shall be carried out on site until a Preliminary Excavation Report on the Full Archaeological Excavation has been submitted to the Department of Housing, Local Government and Heritage and the planning authority and approval to proceed is agreed in writing.

- (vi) The undertaker shall ensure that any necessary Post-Excavation Analysis-as set out in the Preliminary Excavation Report-including (but not limited to) specialist analysis of finds and samples, scientific dating and conservation of artefacts is completed.
- (vii) The undertaker shall ensure that the results of the Full Archaeological Excavation are adequately disseminated to the public by way of publication or other appropriate means.

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. The mitigation measures identified in the Outline Construction Environmental Management Plan and other plans and particulars submitted with the planning application, shall be implemented in full by the undertaker, except as may otherwise be required in order to comply with the conditions of this permission.

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

- 6. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Outline Construction Environmental Management Plan. The CEMP shall incorporate the following:
 - (a) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;
 - (b) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
 - (c) an emergency response plan;

- (d) proposals in relation to public information and communication. A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority;
- (e) The Construction Environment Management Plan shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out the Archaeological Assessment (IAC Ltd; date July 2024). The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

Reason: In the interest of environmental protection and orderly development.

7. The landscaping scheme shown on drawing number LD.KNCKRH 1.0 (Landscape Mitigation Plan), as submitted to the An Coimisiún Pleanála on the 12th day of February, 2025 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, in the interest of visual amenity.

8. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

9. During the operational phase of the substation, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:

- (i) An LeqT, value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive. [The T value shall be one hour]
- (ii) An Leq, 15 min value of 45 dB(A) at any other time. [The T value shall be 15 minutes]. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Prior to the commencement of development, the undertaker shall agree with the planning authority a protocol for the monitoring of noise from electrical apparatus within the sites. This protocol shall include provision for the shielding or removal of any such apparatus in the event of the exceedance of agreed noise limits as perceived at identified receptors.

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

10. The undertaker shall comply with the following requirements:

- (a) No additional 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 roads.
- (c) Cables within the site shall be located underground.
- (d) All fencing, gates and exposed metalwork shall be dark green in colour. The roofs of the buildings within the substation compound shall be dark grey or black and the external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of clarity, of visual and residential amenity.

P.C.

11. All road surfaces, culverts, watercourses, 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 at the undertaker's expense. Prior to commencement of development, a road condition survey shall be carried out to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

12. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material and cleaning works shall be carried out on the adjoining public roads by the undertaker and at the undertaker's expense on a daily basis.

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

13. 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 will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

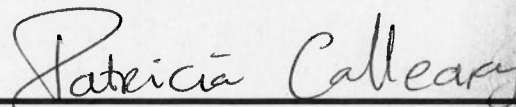
14. Prior to commencement of development, the undertaker shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled 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 undertaker or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

Schedule of Costs

In accordance with the provisions of section 182B of the Planning and Development Act 2000, as amended, the amount due to be reimbursed to the applicant is **€92,361**.

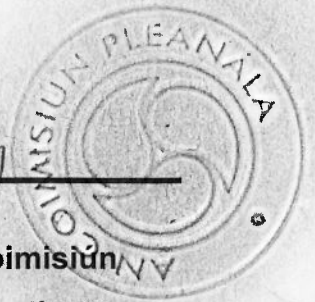
A breakdown of the Commission's costs is set out in the attached Appendix 1



Patirica Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 24th day of July 2025



An
Coimisiún
Pleanála

Commission Order –
Appendix 1

ABP-320532-24

Strategic Infrastructure Development

Costs of determining the Application

Case Number: ABP-320532-24

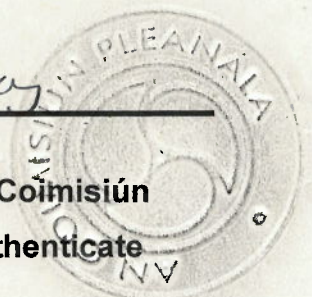
Proposed Development: Proposed 110kV electrical substation and associated 110kV infrastructure required to connect a solar farm to the existing Knockraha 220kV substation in the townlands of Knockraha East, Ballynanelagh and Kileena, County Cork.

Commission Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €5,736 Inspector 2 (application) €6,453	€12,189
(2)	Costs invoiced to Commission	N/A
	Total chargeable costs	€12,189
Commission Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €4,500	€104,500
(4)	Observer fees paid	€50
	Total	€104,550
	Net amount due to be refunded to the applicant	€92,361

Patricia Calleary

Patricia Calleary

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 29th day of July

2025