

An
Coimisiún
Pleanála

Commission Order
PL-500343-CK

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 25/5141

Appeal by Tony Mulcahy and by Eilis Walsh against the decision made on the 30th day of October, 2025 by Cork County Council to grant subject to conditions a permission to Lysaghtstown Solar Farm 2 Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: 10-year planning permission for the proposed development of an underground electricity interconnector cable which will comprise of a 33kV double-circuit underground cable route, of circa 4.3 kilometres in length, which is to be installed in an excavated trench, including underground ducting, joint bays, horizontal directional drills (HDD), communication chambers and all associated site development and reinstatement works. The interconnector cable will extend from two newly proposed ring main units at the permitted Ballynaclashy Solar Farm to a substation at the permitted Lysaghtstown Solar Farm. The proposed development provides for a revision to part of the approved layout of the Ballynaclashy Solar Farm previously permitted under planning register reference number 21/4050/An Coimisiún Pleanála reference number ABP-311238-21. The revision to the layout comprises the installation of two number ring main units and the laying of the underground electricity

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interconnector cable. The proposed development also provides for a revision to part of the approved layout of Lysaghtstown Solar Farm as previously permitted under planning register reference number 18/6769 (as amended by planning register reference numbers 20/6891 and 21/5089). The revision to this layout comprises the laying of the underground electricity interconnector cable to a substation permitted under An Coimisiún Pleanála reference number ABP-308979-20. The development will be carried out within a combination of the above referenced permitted solar farm boundaries, on private lands and within the L-7634, L-36172, L-7694 and R626 public roads. The underground electricity interconnector cable will be routed around Tomasheen Bridge through private lands via HDD, all in the townlands of Ballynaclashy, Ballyrichard Beg, Curragh and Lysaghtstown, 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.

Reasons and Considerations

In coming to its decision, 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, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

- (a) the policies and objectives set out in the National Planning Framework and the Regional and Spatial Economic Strategy for the Southern Regional Assembly,



- (b) the provisions of the Cork County Development Plan 2022-2028,
- (c) the nature, scale, extent and layout of the proposed development,
- (d) the route of the proposed project,
- (e) the pattern of existing and permitted development in the area,
- (f) the planning history of the site and the surrounding area,
- (g) the submissions and observations received, and
- (h) the report and recommendation of the Planning Inspector.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the planning application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise 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 Great Island Channel Special Area of Conservation (Site Code: 001058) and the Cork Harbour Special Protection Area (Site Code: 004030) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites 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 Great Island Channel Special Area of Conservation (Site Code: 001058) and the Cork Harbour Special Protection Area (Site Code: 004030) in view of the 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 Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) the 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 Sites. In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.



Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be generally in compliance with National and Regional Guidance and Policy, the Cork County Development Plan 2022-2028, in particular Policy Objective ET 13-21 which supports the facilitation of infrastructure connections to solar farms, would be acceptable in terms of landscape and ecological impacts and would not give rise to unacceptable traffic impacts or impact on pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and consistent with the Climate Action Plan, 2025 and the Climate Action and Low Carbon Development (Amendment) Act 2021.

Conditions

1. 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 received by the planning authority on the 12th day of June, 2025, the 24th day of June, 2025 and the 5th day of September, 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 developer shall agree such details in writing with the planning authority prior to commencement of the development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

Reason: Having regard to the nature of the proposed development, the Commission considered it reasonable and appropriate to specify a period of the permission in excess of five years.

3. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented in full.

Reason: To protect the integrity of European Sites.

4. All of the environmental, construction and ecological mitigation measures, as set out in the Ecological Impact Assessment and the Tree/Vegetation Protection Measures Statement submitted to the planning authority, shall be implemented in full by the developer in conjunction with the timelines set out therein.

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

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Surface water from the site shall not be permitted to drain onto the adjoining public road or adjoining properties.

Reason: In the interest of environmental protection and public health.

6. Prior to commencement of development, the developer shall agree details for any crossings above and below Uisce Éireann assets. The developer shall ensure that no additional load or force to any Uisce Éireann assets from any pre-construction, post-construction or operational phases will result from the proposed development. All detailed designs, including separation distances, shall be in accordance with Uisce Éireann's Technical Standards, Codes of Practice, Standard Details and other associated Uisce Éireann requirements.

Reason: To protect existing Uisce Éireann Infrastructure.

7. All instream works shall be carried out in accordance with Inland Fisheries Ireland Guidelines on protection of fisheries during construction works in and adjacent to waters (2016) and Inland Fisheries Ireland shall be consulted prior to the commencement of development.

Reason: In the interest of environmental and water quality protection.

8. All watercourses in or adjacent to the proposed works area shall be monitored on a daily basis by the Site Construction and Environmental Compliance Officer to ensure that they are not being impacted by silt/sediment laden stormwater run-off from the proposed works area. A record of this monitoring shall be maintained on site.

Reason: To protect water quality.

9. A pre-condition survey shall be carried out on all public roads and bridges that will be used in connection with the proposed development to record the condition of the public roads in advance of construction commencing. A post-construction survey shall also be carried out after the works are completed. The specification and timing of the surveys shall be agreed with the planning authority.

Reason: In the interest of clarity, and of orderly development.

10. All proposed works shall be supervised by an on-site Ecological Clerk of Works who shall report on compliance with relevant mitigation measures. The Ecological Clerk of works shall be empowered to halt works where he/she considers that the continuation of the works is likely to result in a significant pollution or impact on an Annex I habitat, and on-site works shall cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

Reason: To protect biodiversity.

11. (a) Existing field boundaries shall be retained, notwithstanding any exemptions available, and new planting shall be undertaken in accordance with the Landscape Plan submitted with the planning application.



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- (b) Any trees or hedgerow that are removed, die or become seriously damaged or diseased during the operative period of the proposed development 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.

Reason: In the interest of biodiversity, the visual amenities of the area, and the amenities of dwellings in the vicinity.

12. The developer shall engage a suitably qualified (licensed eligible) archaeologist (licensed under the National Monuments Acts) to monitor all topsoil removal and other groundworks, clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the offroad/greenfield locations of the proposed development. Prior to commencement of such works, the archaeologist shall consult with and forward to the planning authority archaeologist or the National Monuments Service, as appropriate, a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation. 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, 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

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authority and the National Monuments Service 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.

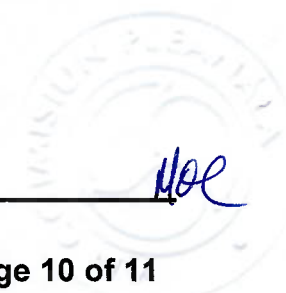
Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

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

Reason: To safeguard the amenities of property in the vicinity.

14. The construction of the proposed 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 proposed development, including but not limited to, noise and dust management and monitoring measures, surface water management proposals, the management of construction traffic, and the off-site disposal of construction waste.

Reason: In the interest of public safety, residential amenity and the protection of the environment.



15. 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 proposed development 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 the satisfactory reinstatement of the site.


Marie O'Connor

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

Dated this *05th* day of *June* 2026.