

An
Coimisiún
Pleanála

Commission Order
PL-500591-CK-26

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 246312

Appeal by ENGIE Developments Ireland Limited against the decision made on the 3rd day of December, 2025 by Cork County Council to refuse permission for the proposed development.

Proposed Development: the development and operation of a circa 13.8MW solar photovoltaic (PV) farm at a 21.25 hectare site located off the L2760. The application seeks a 10-year permission with an operational lifetime of 35 years and includes: approximately 37,000 solar photovoltaic panels on ground mounted metal frames including string inverters mounted to the rear of the panels, with a maximum table height above ground of approximately 2.7 metres; one number 38kV substation including one number MV switch room, one number IPP control room, one number ESB switch room and associated electrical infrastructure; three number transformer units; underground cabling and ducting; one number temporary construction compound and ancillary facilities for the duration of the construction phase of the project; perimeter fencing; CCTV; construction and operational access provided from the existing site entrance off the L2760; internal tracks, site landscaping and all associated site enabling and site development works at Berrings, Near Berrings, 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) European, national and local planning, energy, climate and other policies of relevance, including in particular the following:
 - (i) European policy/legislation including:
 - (a) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive), and
 - (b) Directive 2000/60/EC, the Water Framework Directive;
 - (b) National Policy and Guidance including:
 - (i) Project Ireland 2040: National Planning Framework (NPF), First Revision of the NPF,
 - (ii) the National Development Plan 2021-2030,
 - (iii) the objectives and targets of the National Biodiversity Action Plan 2023-2030,

- (iv) the Policy Statement on Security of Electricity Supply (November 2021),
 - (v) the National Energy Security Framework (April 2022), and
 - (vi) the National Energy and Climate Action Plan (2021-2030);
- (c) Regional and local planning policy, including:
- (i) Regional Spatial Economic Strategy for the Southern Region 2019-2031, and
 - (ii) the Cork County Development Plan 2022-2028;
- (d) the nature, scale and design of the proposed development;
- (e) the pattern of development in the area and the context of the receiving environment;
- (f) the measures proposed for the construction, operation and decommissioning of the proposed development;
- (g) the range of measures set out in the Ecological Impact Assessment, Landscape and Visual Impact Assessment, Archaeological, Architectural and Cultural Heritage Impact Assessment, Glint and Glare Assessment, Noise Impact Assessment and Construction and Environmental Management Plan;
- (h) the reports of the planning authority and the further information received from the applicant on the 6th day of November 2025;
- (i) the submissions made by prescribed bodies on the planning application to the planning authority;
- (j) the documentation submitted with the planning application and the appeal; and

(k) the report and recommendation of the Commission Planning Inspector.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development:

would be in accordance with European, national, and regional renewable energy policies and would align with the provisions of the Cork County Development Plan, 2022-2028;

would make a positive contribution to Ireland's renewable energy and security of energy supply requirements;

would not have an adverse impact on the character of the landscape or the cultural or archaeological heritage of the site and surrounding area;

would not have a significant adverse impact on ecology;

would not have a significant adverse impact on ground or surface water quality; and

would not seriously injure the residential amenities of the area or otherwise of property in the vicinity.

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 application, as amended by the further information received by the planning authority on the 6th day of November 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 development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development revised drawings shall be submitted for the written agreement of the planning authority indicating:
 - (a) All hedgerows, access tracks and fencing shown on the site layout plans shall correspond with the base maps and the Landscape Mitigation Plan received at Further Information stage.
 - (b) A minimum of four metres separation distance shall be provided between all solar panels and field boundaries.

Reason: In the interest of clarity and protection of biodiversity.

3.
 - (a) The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.
 - (b) The permission shall be for a period of 35 years from the date of the commissioning of the solar array. The solar array and related ancillary structures shall then be removed unless, prior to the end

of the period, planning permission shall have been granted for their retention for a further period.

- (c) Prior to commencement of development, a restoration plan, including a timescale for its implementation, providing for the removal of the solar arrays, including all foundations, anchors, inverter/transformer stations, substation building, CCTV cameras, fencing and site access to a specific timescale, shall be submitted to, and agreed in writing with, the planning authority.
- (d) 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, and all associated equipment, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with a restoration plan, and all decommissioned structures shall be removed within three months of decommissioning.

Reason: Having regard to the nature of the proposed development, the Commission considered it appropriate to specify a period of validity of this permission in excess of five years and to enable the planning authority to review the operation of the solar farm over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.

- 4. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

5. All of the environmental, construction and ecological mitigation measures, as set out in the Planning and Environmental Report and associated appendices, specifically the Ecological Impact Assessment, Glint and Glare Assessment, Noise Impact Assessment, Landscape and Visual Impact Assessment; Landscape Mitigation Plan, the Archaeological, Architectural and Cultural Heritage Impact Assessment, Construction and Environmental Management Plan and other particulars submitted with the planning application, shall be implemented 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 interest of clarity and the protection of the environment during the construction and operational phases of the proposed development.

6. (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 to roadways and sightlines.
- (b) 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.

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

7. All mitigation measures in relation to archaeology and cultural heritage as set out in the Archaeological Impact Assessment, included in the application documents, shall be implemented in full, except as may otherwise be required in order to comply with the below conditions relating to the protection of the archaeological heritage. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

8. The developer shall engage a suitably qualified licence eligible 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 works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record archaeological excavation and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the

developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. 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.

9. (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.
- (e) Cables within the site shall be located underground.

Reason: In the interests of clarity, of visual and residential amenity, to allow wildlife to continue to have access to and through the site.

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 to roadways and sightlines.
- (b) 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. 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of environmental protection.

12. The construction of the development shall be managed in accordance with a finalised Construction and Environmental Management Plan (CEMP) which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The finalised CEMP shall provide details of intended construction practice for the development, including:

- (a) the location of the site and materials compounds;
- (b) the location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) the preparation of the Construction Traffic Management Plan to include 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;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;

- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (i) the 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;
- (j) the off-site disposal of construction/demolition waste and the preparation of a Resource Waste Management Plan (RWMP);
- (k) details of how it is proposed to manage excavated soil;
- (l) details of on-site re-fuelling arrangements, including use of drip trays; and
- (m) the 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.

The final Construction Environmental Management Plan (CEMP) shall be updated to reflect the completed archaeological assessment and shall be submitted for the written agreement of the planning authority. 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.

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 interest of environmental protection, amenities, public health and safety and cultural heritage protection.

13. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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 residential amenities of property in the vicinity.

14. The developer shall comply in full with the following:
 - (a) All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay rubble or other debris on adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developers own expense.
 - (b) The applicant/developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road arising from the construction work and shall either make good any damage to the satisfaction of the Council or pay the Council the cost of making good any such damage upon issue of such a requirement by the Council.

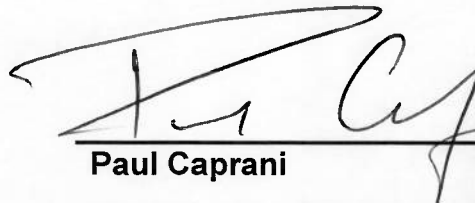
Reason: To protect the amenities of the area.

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, 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 restoration of the site in the interest of visual and residential amenity.

16. 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.



Paul Caprani

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



Dated this 30th day of July 2026