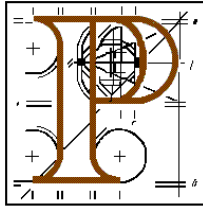


An Bord Pleanála



FORBAIRT BONNEAGAIR STRAITÉISIGH STRATEGIC INFRASTRUCTURE DEVELOPMENT

NA hACHTANNA UM PLEANÁIL AGUS FORBAIRT 2000 go 2015
PLANNING AND DEVELOPMENT ACTS 2000 to 2015

Uimhir Thagartha an Bhoird Pleanála: 08.PA0044

An Bord Pleanála Reference Number: 08.PA0044

(Údarás Pleanála: Comhairle Contae Chiarraí
agus Comhairle Contae Chorcaí)

(Planning Authorities: Kerry County Council
and Cork County Council)

IARRATAS ar cheadú faoi alt 37E den Acht um Pleanáil agus Forbairt, 2000, arna leasú, de réir pleananna agus sonraí, ráiteas tionchair timpeallachta san áireamh, taiscthe leis An mBord Pleanála ar an 7ú lá de mhí Mheán Fómhair, 2015, ó E.S.B. Wind Development Limited, faoi chúram E.S.B. International ó Stephen Court, 18-21 Faiche Stiabhna, Baile Átha Cliath.

APPLICATION for permission under section 37E of the Planning and Development Act, 2000, as amended, in accordance with plans and particulars, including an environmental impact statement, lodged with An Bord Pleanála on the 7th day of September, 2015 by E.S.B. Wind Development Limited care of E.S.B. International of Stephen Court, 18-21 Saint Stephen's Green, Dublin.

AN FHORBAIRT BHEARTAITHE:

- i) Tógáil feirm ghaoithe ina mbeidh 38 tuirbín gaoithe agus na bunsraitheanna agus na limistéir dhromchla chrua uile lena mbaineann. Beidh airde moil suas le 80 méadar agus trastomhas rótair suas le 112 méadar ag baint leis na tuirbíní gaoithe. Beidh airde iomlán na struchtúr (i.e. airde rinne) suas le 126 méadar.
- ii) An cáblú leictreach agus cumarsáide uile faoin talamh lena mbaineann.
- iii) Tógáil bealaigh isteach nua chuig an suíomh.
- iv) Cruthú thart ar 28 km de rianta rochtana, lena n-áirítear nascrían idir an dá fheirm ghaoithe a toilíodh roimhe seo mar a thuairiscítear thíos.
- v) Cruthú poill carta/stórais ábhair.
- vi) Tógáil 4 chrann nua saorsheasaimh meitéareolaíochta atá suas le 80 méadar ar airde.
- vii) Córais draenála ghaolmhara.
- viii) Tá siad seo a leanas na forbairtí breise gaolmhara agus coimhdeacha atá ag teastáil d'fhonn comhpháirteanna tuirbín gaoithe a sheachadadh:
 - Bealach Seachadta 1: Suiteáil droichid shealadaigh trasna an tSuláin i sráidbhaile Bhaile Bhuirne (Contae Chorcaí). Maidir leis an droichead sin, ní mór bealach isteach sealadach ón N22 agus ón L3400 (iad araon i sráidbhaile Bhaile Bhuirne) a thógáil agus bóithre poiblí a fheabhsú ag láithreacha aitheanta feadh an L3400 i dtreo an tsuímh.
 - Bealach Seachadta 2: Cruthú thart ar 500 méadar de rian rochtana laistigh de thailte Choillte atá ann cheana féin i mbaile fearainn Chúil Chnóchoille (Contae Chiarraí) chun rianta atá ann cheana féin ar an mbealach seachadta seo a nascadh chomh maith le hathailíniú an bhealaigh isteach atá ann cheana féin chuig suíomh Everwind leis an mbóthar poiblí L3400.
- ix) Tá cead 10 mbliana agus saolré oibríoch 25 bliain ó chríochnú na feirme gaoithe ar fad á lorg le haghaidh na forbartha a bheartaítear.

Tá an t-iarratas seo ina athbhreithniú agus ina chónascadh idir an dá chead pleanála atá ann cheana ar an suíomh mar seo a leanas:

- Comhairle Contae Chiarraí, Tagairt Chlárúcháin 10/0197 a deonaíodh cead pleanála ar an 25ú lá de mhí Shamhain, 2010 – cead 10 bliana le haghaidh 14 thuirbín gaoithe agus oibreacha forbartha lena mbaineann.
- Comhairle Contae Chiarraí, Tagairt Chlárúcháin 10/1333 a deonaíodh cead pleanála ar an 26ú lá de mhí Eanáir, 2012 – cead 10 bliana le haghaidh 24 tuirbín gaoithe agus oibreacha forbartha lena mbaineann.

Dé réir mar a leasaíodh é i gcomhar le tuilleadh eolais a fuair An Bord Pleanála ar an 1 Aibreáin, 2016.

Forbairt feirm ghaoithe a bheartaítear agus na hoibreacha gaolmhara uile sna bailte fearainn seo a leanas i gContae Chiarraí: an Bealach (Toghroinn Ghleann Lao), Barr na Stuaice, Cluain Chaoín, Cúil na gCopóg (Toghroinn Ghleann Locha), Cúil Chnóchoille, Com an Chuilinn, Com Uí Chlúmháin, an Coimín Uachtarach, Doire an Chladaigh, Doire an Longaigh, Gort Leathard, Gort Maraithe Fínín, Cnocán an Phóna, an Inse Mhór, na hInsí, Cnoc an Rodaigh, Cnoc an Fhota, an Leaca Bhán, Ladhar na Gaoithe, Redtrench South, Ros an Locha, Sailcheartán; agus sna bailte fearainn seo a leanas i gContae Chorcaí: Cúil Aodha, Doire an Chuilinn, an Doirín Álainn, an Doire Leathan, Doire na Sagart, Gort na Tiobhratan, an Lománach Mhór, an Muirneach Beag, Ré na bPobal, an Sliabh Riabhach, Contae Chorcaí.

PROPOSED DEVELOPMENT:

- i) Construction of a wind farm comprising 38 number wind turbines and all associated foundations and hard standing areas. The wind turbines will have a hub height of up to 80 metres and a rotor diameter of up to 112 metres. The overall height of the structures (that is, tip height) will be up to 126 metres.
- ii) All associated underground electrical and communications cabling.
- iii) Creation of a new site entrance.
- iv) Creation of approximately 28 kilometres of access tracks, including a link track between the two previously consented wind farms as described below.
- v) Creation of borrow pits/material repositories.

- vi) Construction of four new free standing meteorological masts up to 80 metres height.
- vii) Associated drainage systems.
- viii) Additional associated and ancillary developments required to facilitate the delivery of wind turbine components including:
 - Delivery Route 1: Installation of a temporary bridge traversing the Sullane River in Ballyvourney village (County Cork) - the bridge requires the creation of a temporary entrance from the N22 and from the L3400 (both within Ballyvourney village) and public road improvements at identified locations along the L3400 towards the site.
 - Delivery Route 2: Creation of approximately 500 metres of access track within existing Coillte lands in the townland of Coolknoohil (County Kerry) to link existing tracks located along this delivery route along with a realignment of existing Everwind site entrance with public road L3400.
- ix) A 10-year permission and a 25-year operational life from completion of the entire wind farm are sought for the proposed development.

This application represents a revision and amalgamation of the two existing planning permissions on the site as follows:

- Kerry County Council register reference number 10/0197 granted permission on the 25th day of November, 2010 – a 10-year permission for 14 wind turbines and associated development.
- Kerry County Council register reference number 10/1333 granted permission on the 26th day of January, 2012 – a 10-year permission for 24 wind turbines and associated development.

As amended by the further information received by An Bord Pleanála on the 1st day of April, 2016.

The proposed development and all associated works will be located in the townlands of: Ballagh (ED Glanlee), Barnastooka, Clonkeen, Coolnagoppoge (ED Glanlough), Coolknoohil, Coomacullen, Coumaclovane, Cummeen Upper, Derreenclodig, Derreenlunnig, Gortlahard, Gortmarrahafineen, Grousemount, Inchamore, Inchee, Knockanruddig, Knockanuha, Lackabaun, Lyrenageeha, Redtrench South, Rossalougha, Sillahertane, County Kerry and in the townlands of Coolea, Derreenaculling, Derreenaling, Derrylahan, Derrynasaggart, Gortnatubbrid, Lumnagh More, Murnaghbeg, Reanabobul, Slievereagh, County Cork.

AN CINNEADH

Cead pleanála faoi alt 37G den Acht um Pleanáil agus Forbairt, 2000, arna leasú, A CHEADÚ don fhorbairt bheartaithe thuasluaite, de réir pleananna agus sonraí thuasluaite mar gheall ar na cúiseanna agus ar na breithnithe atá ráite thíos agus faoi réir na gcoinníollacha a shonraítear seo a leanas.

CINNEADH a dhéanamh faoi alt 37H(2)(c) cibé suim a n-íocfaidh an t-iarratasóir maidir le costais an iarratais, mar atá leagtha amach i Sceideal na gCostas thíos.

DECISION

GRANT permission under section 37G of Planning and Development Act, 2000, as amended, 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.

DETERMINE under section 37H(2)(c) the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs below.

NA hÁBHAIR A BHÍ CURTHA SAN ÁIREAMH

Ag déanamh a chinnidh, thug an Bord aird do na nithe áirithe atá dualgas air, de bhua na n-Achtanna um Pleanáil agus Forbairt agus na Rialachán arna ndéanamh fúthu, aird a thabhairt dóibh. San áireamh bhí aon aighneacht agus tuairim a fuair an Bord faoi réir forálacha reachtúla.

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.

CÚISEANNA AGUS BREITHNITHE

Le cinneadh a dhéanamh ar an gcás thug an Bord aird do na rudaí seo a leanas:

- (a) na spriocanna náisiúnta chun 40% d'fhuinneamh náisiúnta a fháil ó fhoinsí fuinnimh inmharthana roimh 2020,
- (b) na Treoirlínte um Fhorbairt Fuinnimh Gaoithe: Treoirlínte d'Údaráis Phleanála eisiithe ón Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil, Meitheamh 2006,
- (c) polasaithe an údaráis phleanála mar atá leagtha amach sa Phlean Forbartha Chontae Chiarraí 2015-2021, Ainmnítear na talún seo mar a bheadh oscailte ar feadh forbairtí gaoithe ann.
- (d) polasaithe an údaráis phleanála mar atá leagtha amach sa Phlean Forbartha Chontae Chorcaí 2014,
- (e) go bhfuil ceangal le fáil idir an fhobairt agus an eangach náisiúnta,
- (f) an t-achar idir tithe agus áiteanna íogaire eile agus an fhorbairt bheartaithe,
- (g) an stair phleanála don talún,
- (h) na haighneachtaí a rinneadh leis an iarratas pleanála, agus an breis eolais faighte isteach, agus
- (i) moladh agus tuarascáil an Chigire,

Mheas an Bord de bharr an eolais a bhí faoina bhráid, gur féidir leo measúnacht chuí a dhéanamh agus gur féidir leo measúnacht tionchair timpeallachta a dhéanamh chomh maith.

REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

- (a) the national targets for renewable energy contribution of 40% gross electricity consumption by 2020,

- (b) the “Wind Energy Development Guidelines - Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in June, 2006,
- (c) the policies of the planning authority as set out in the Kerry County Development Plan 2015-2021 wherein the subject lands are identified as being open for consideration for wind development,
- (d) the policies of the planning authority as set out in the Cork County Development Plan 2014,
- (e) the availability of a grid connection to serve the proposed development,
- (f) the distance to dwellings or other sensitive receptors from the proposed development,
- (g) the planning history of the lands,
- (h) the submissions made in connection with the planning application and the further information received, and
- (i) the report and recommendation of the Inspector.

The Board was satisfied that the information before it was adequate to undertake an appropriate assessment screening and an environmental impact assessment in respect of the proposed development.

Scagadh le haghaidh Measúnacht Chuí:

Rinne an Bord scagadh le haghaidh Measúnacht Chuí maidir leis na héifeachtaí a d’fhéadfadh a bheith ann ón bhforbairt bheartaithe ar na suíomhanna Eorpacha, nuair a cuireadh nádúr, scála agus áit na forbartha beartaithe san áireamh chomh maith leis an tuarascáil le haghaidh Measúnacht Chuí a cuireadh leis an iarratas i dteannta le tuarascáil an Chigire and leis na haighneachtaí a rinneadh leis an gcás. Ag déanamh an scagaidh, d’aontaigh an Bord le tuarascáil an Chigire, agus tháinig an Bord ar an tuairim nach ndéanadh an fhorbairt beartaithe - san áireamh an bealach atá beartaithe chun ceangal a dhéanamh leis an eangach náisiúnta - ina aonar nó i gcomhar le haon fhorbairt eile sa cheantar éifeacht shuntasach ar aon suíomh Eorpach d’fhonn spriocanna caomhnaithe na suíomhanna, agus nach raibh aon ghá Measúnacht Chuí Céim 2 nó Ráiteas Tionchair Natura a dhéanamh.

Appropriate Assessment Screening:

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, including the proposed grid connection route, the proposed development would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a Natura impact statement) is not, therefore, required.

Measúnacht Tionchair Timpeallachta:

Rinne an Bord measúnacht tionchair timpeallachta ar an bhforbairt bheartaithe agus cuireadh san áireamh:

- (a) nádúr, scála agus áit na forbartha beartaithe,
- (b) an ráiteas tionchair timpeallachta agus na cáipéisí a bhaineann leis an iarratas,
- (c) aighneachtaí ón iarratasóir, ó na húdaráis phleanála, ó na breathnóirí ó na comhlachtaí forordaithe a rinneadh le linn an iarratais agus tuilleadh eolais a fuarthas, agus
- (d) tuarascáil an Chigire.

Meastar sa ráiteas tionchair timpeallachta i dtaca leis na cáipéisí agus leis na haighneachtaí a ghabhann leis an iarratas go n-aithnítear go maith éifeachtaí díreacha agus neamhdhíreacha na forbartha ar an timpeallacht. Rinne an Bord measúnacht tionchair timpeallachta ar an bhforbairt bheartaithe agus tháinig an Bord ar an tuairim nach ndéanfadh an fhorbairt bheartaithe ina haonar nó i gcomhar le haon fhorbairt eile sa cheantar, san áireamh an ceangal leis an eangach náisiúnta, agus í curtha i gcrích faoi réir na mbearta maolaithe atá beartaithe, go bhfuil éifeachtaí an bhfobairt beartaithe ar an gcomhshaoil inghlactha. Dá bharr d'aontaigh an Bord le tuarascáil an Chigire.

Environmental Impact Assessment:

The Board completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale and location of the proposed development,
- (b) the environmental impact statement and associated documentation submitted with the application,
- (c) the submissions from the applicant, the planning authorities, the observers and the prescribed bodies in the course of the application, and the further information received, and
- (d) the Inspector's report.

It is considered that the environmental impact statement, supported by the documentation and various submissions by the applicant, identifies and describes adequately the direct and indirect effects of the proposed development on the environment. The Board completed an environmental impact assessment in relation to the proposed development and concluded that, by itself and in combination with other development in the vicinity, including the proposed grid connection route, and subject to the implementation of the mitigation measures proposed, the effects of the proposed development on the environment are acceptable. In doing so, the Board adopted the report of the Inspector.

Conclúidí mar gheall ar phleanáil chúí agus ar fhorbairt inchothaithe:

Meastar go bhfuil sé léirithe go bhfuil gá leis an bhforbairt bheartaithe a thógáil agus meastar agus an fhorbairt curtha i gcríoch de réir na gcoinníollacha atá leagtha amach thíos, agus faoi réir na mbeart maolaithe atá leagtha amach sa ráiteas tionchair timpeallachta agus maidir leis an bhforbairt:

- nach mbeadh éifeachtaí do-ghlactha i gceist ar an timpeallacht,
- nach mbeadh éifeacht shuntasach ag an bhforbairt ar aon suíomh Eorpach,
- nach mbeadh impleachtaí do-ghlactha don tírdhreach,

- nach mbeadh díobháil mhór do thaitneamhachtaí amhairc nó cónaithe sa cheantar nó do mhaoin sa chomharsanacht,
- go mbeadh an fhorbairt inghlactha ó thaobh sábháilteacht tráchtá agus áise de.

Dá bhrí sin, bheadh an fhorbairt bheartaithe ar aon dul le pleanáil chuí agus le forbairt inchothaithe an limistéir.

Conclusion on Proper Planning and Sustainable Development:

It is considered that the need for the proposed development has been demonstrated and that, subject to compliance with the conditions set out below, including compliance with the mitigation measures set out in the environmental impact statement, the proposed development:

- would not have unacceptable effects on the environment,
- would not be likely to have a significant effect on any European Site,
- would not have an unacceptable impact on the landscape,
- would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and
- would be acceptable in terms of traffic safety and convenience.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

COINNÍOLLACHA/CONDITIONS

1. Cuirfear i bhfeidhm agus críochnófar an fhorbairt bheartaithe de réir na bpleananna agus na sonraí curtha isteach leis an iarratas agus faoi mar a leasaíodh leis na pleananna agus na sonraí breise a fuair An Bord Pleanála ar an gcéad lá de mhí Aibreán, 2016, ach amháin faoi mar a d'fhéadfadh a bheith riachtanach chun na coinníollacha seo a leanas a chomhlíonadh. I gcás na gcoinníollacha gur ghá na sonraí a bhaineann leo a bheith aontaithe leis an údarás pleanála, aontóidh an forbróir na sonraí sin i scríbhinn leis an údarás roimh thús na forbartha agus déanfar an fhorbairt agus tabharfar chun críche í de réir na sonraí aontaithe.

Cúis: Ar mhaithe le soiléireacht.

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 An Bord Pleanála on the 1st day of April, 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the relevant planning authority, the developer shall agree such details in writing with the relevant 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. Maireann an tréimhse gur féidir leis an bhforbairt cheadaithe seo a thógáil ar feadh deich mbliana ó dháta an ordaithe seo.

Cúis: Ar mhaithe le soiléireacht.

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

Reason: In the interest of clarity.

3. Maireann an cead pleanála seo ar feadh tréimhse cúig bliana is fiche ó dháta feidhme na feirme gaoithe.

Cúis: Ionas go mbeidh an t-údarás pleanála ábhartha in ann athbhreithniú a dhéanamh ar an bhforbairt faoi réir na gcúrsaí a bheidh i bhfeidhm ag an am sin.

This permission shall be for a period of 25 years from the date of the first commissioning of the wind farm.

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

4. Cuirfear i bhfeidhm go hiomlán na bearta tógála agus na bearta maolaithe timpeallachta mar atá siad leagtha amach sa ráiteas tionchair timpeallachta agus sna cáipéisí a ghabhann leis, ach amháin faoi mar a bheadh riachtanach chun cloí leis na coinníollacha seo a leanas.

Cúis: Ar mhaithe le cosaint a thabhairt don timpeallacht.

The developer shall ensure that all construction methods and environmental mitigation measures set out in the environmental impact statement and associated documentation are implemented in full, except as may otherwise be required by the conditions set out below.

Reason: In the interest of the protection of the environment.

5. Caithfear cloí leis na coinníollacha seo maidir le dearadh na forbartha:
- (a) Caithfear dath liath éadrom a chur go seachtrach ar na tuirbíní, san áireamh ar na túir agus ar na lainne rótair.
 - (b) Cuirfear na cáblaí an tsuímh faoi thalamh.
 - (c) Socrófar na tuirbíní gaoithe i dtreo is go mbeidh na rótair go léir ag casadh sa treo céanna.
 - (d) Ní chuirfear aon ábhar fógraíochta ar aon struchtúr ar an suíomh gan a bheith cead pleanála faighte cheana féin.

Cúis: Ar mhaithe le háis amhairc na háite

The following design requirements shall be complied with:

- (a) The wind turbines, including masts and blades, and the wind monitoring mast, shall be finished externally in a light grey colour.
- (b) Cables within the site shall be laid underground.

- (c) The wind turbines shall be geared to ensure that the blades rotate in the same direction.
- (d) No advertising material shall be placed on or otherwise be affixed to any structure on the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

6. (1) Leasófar an Plean Bainistíochta maidir le hUisce Dromchla, an plean a cuireadh leis an iarratas, ionas go gcuirfear bearta teagmhais atá cuí chun déileáil ar bhonn réamhghabhálach le haon mheathlú atá sonraithe ar chaighdeán an uisce dromchla atá faoi bhreathnóireacht. Aontófar na bearta seo leis an údarás pleanála ábhartha i scríbhinn sula gcuirfear tús leis an bhforbairt.
- (2) Déanfar iniúchadh ar bhonn leanúnach maidir leis an bPlean Bainistíochta maidir le hUisce Dromchla agus íocfar an forbróir as costas an iniúchta agus déanfar an t-iniúchadh ar aon dul le riachtanais an údaráis phleanála ábhartha.

Cúis: Ar mhaithe le cosaint a thabhairt don timpeallacht.

- (1) The Surface Water Management Plan submitted with the application shall be amended to incorporate appropriate contingency measures designed to pre-emptively address any recorded deterioration in the quality of any of the surface waters under observation. Such measures are to be agreed in writing with the relevant planning authority prior to the commencement of development.
- (2) The Surface Water Management Plan shall be subject to on-going independent audit at the expense of the developer and in accordance with the requirements of the relevant planning authority.

Reason: In the interest of environmental protection.

7. (1) Nuair a chuirfear an fhorbairt bheartaithe i bhfeidhm ní bheidh leibhéal an torainn ina aonar nó i gcomhar le haon fhorbairt fuinnimh gaoithe eile atá ceadaithe nó atá ann cheana féin sa cheantar níos mó ná 43 dB(A) $L_{90,10}$ nóiméad nó 5 dB(A) thar leibhéal an torainn chúlra cé acu ba mhó, nuair a thomhaistear iad ag áiteanna eile atá íogair do thorann.
- (2) Déanfar na tomhais mar gheall ar an leibhéal torainn leis na treoirlínte atá leagtha amach sa Mholadh 1996 – Fuaimíocht - Cur Síos agus Tomhas de Fuaimeanna Chomhshaoil, déanta ag an Eagraíocht Idirnáisiúnta na gCaighdeán (ISO).

Cúis: Ar mhaithe le cosaint a thabhairt do thaitneamhachtaí an cheantair.

- (1) Noise levels emanating from the proposed development following commissioning, by itself or in combination with other existing or permitted wind energy development in the vicinity, when measured externally at third party noise-sensitive locations, shall not exceed the greater of 43dB(A) $L_{90,10 \text{ min}}$ or 5 dB(A) above background levels.
- (2) All sound measurements shall be made in accordance with ISO 1996: Acoustics – Description and Measurement of Environmental Noise.

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

8. Cloífeadh leis na riachtanais seo a leanas mar gheall ar chaocháil scáileanna:
- (a) Ní bheidh méid caochaíola scáileanna na forbartha atá beartaithe níos mó ná 30 nóiméad sa lá nó níos mó ná 30 uair sa bhliain ag aon teach.
- (b) Cuirfear trealamh agus bogearraí oiriúnach leis an bhforbairt bheartaithe ionas gur féidir smacht a choimeád ar an gcaochaíl scáileanna maidir leis na tithe.
- (c) Sula gcuirfear tús leis an bhforbairt caithfidh saineolaí plean monatóireachta a chur le chéile maidir le caochaíl scáileanna,

saineolaí a bhfuil an taithí de chineál sin monatóireachta aige/aici. Déanfar é ar aon dul le sonraí agus seolfar iad chuig an údarás pleanála le haghaidh aontú scríofa. Sa phlean monatóireachta beidh sonraí ann maidir leis an gcineál trealaimh monatóireachta, leis an modheolaíocht agus leis an gclár ama tuairiscithe.

Cúis: Ar mhaithe le taitneamhacht cónaithe.

The following shadow flicker requirements shall be complied with:

- (a) Cumulative shadow flicker arising from the proposed development shall not exceed 30 minutes in any day or 30 hours in any year at any dwelling.
- (b) The proposed turbines shall be fitted with appropriate equipment and software to control shadow flicker at dwellings.
- (c) Prior to commencement of construction, a wind farm shadow flicker monitoring programme shall be prepared by a consultant with experience of similar monitoring work, in accordance with details to be submitted to the relevant planning authority for written agreement. Details of the monitoring programme shall include the proposed monitoring equipment and methodology to be used, and the reporting schedule.

Reason: In the interest of residential amenity.

9. Sula gcuirfear tús leis an bhforbairt, aontóidh an forbróir prótacal leis an údarás pleanála ábhartha chun measúnú a dhéanamh maidir le trasnaíocht ar raidió nó ar theilifís nó ar tharchur teileachumarsáide sa cheantar. Má tharlaíonn aon trasnaíocht, socróidh an forbróir an trasnaíocht seo de réir na modheolaíochta atá le haontú i scríbhinn leis an údarás pleanála ábhartha, tar éis dul i gcomhairle leis na húdaráis ábhartha eile agus sula gcuirfear na tuirbíní i bhfeidhm.

Cúis: Ar mhaithe le taitneamhacht cónaithe agus chun cosaint a thabhairt do chomharthaí teileachumarsáide.

Prior to the commencement of development the developer shall agree a protocol for assessing any impact on radio and television or other telecommunications reception in the area. In the event of interference occurring the developer shall remedy such interference according to a methodology to be agreed in writing with the relevant planning authority, following consultation with other relevant authorities and prior to the commissioning of the turbines.

Reason: In the interest of protecting telecommunications signals and of residential amenity.

10. Caithfear sonraí aerloingseoireachta a sheoladh chuig an údarás pleanála ábhartha agus aontú scríofa a fháil sula gcuirfear tús leis an bhforbairt. Sula gcuirfear na tuirbíní i bhfeidhm, caithfidh an forbróir na comhordanáidí a chur in iúl don údarás pleanála ábhartha agus d'Údarás Eitlíochta na hÉireann maidir leis na pointí is airde ar na tuirbíní agus comhordanáidí na dtuirbíní agus na gcrann tomhais ghaoithe chomh maith.

Cúis: Ar mhaithe le sábháilteacht aertráchta.

Details of any aeronautical requirements shall be submitted to, and agreed in writing with, the relevant planning authority prior to commencement of development. Prior to commissioning of the turbines, the developer shall inform the relevant planning authority and the Irish Aviation Authority of the as-constructed tip heights and co-ordinates of the turbines and wind monitoring masts.

Reason: In the interest of air traffic safety.

11. Sula gcuirfear tús leis an bhforbairt, déanfar plean bainistíochta iompair le haghaidh thógáil na forbartha agus seolfar é chuig an údarás pleanála ábhartha le haghaidh aontú scríofa. Sa phlean bainistíochta tráchta cuirfear in iúl na bóithre atá le húsáid, chomh maith le sonraí na n-ualaí mórthomhais agus leagfar amach sonraí maidir le cosaint do na droichid, do na tóchair agus d'aon ghné eile atá le trasnú, nuair is gá leis. Sa phlean chomh maith leagfar amach sonraí ina bhfuil sé curtha in iúl ag an bhforbairt an bealach atá beartaithe aige/aici socrú a dhéanamh le muintir na háite iad a chur ar an eolas faoi ualaí neamhghnácha agus cumarsáid a dhéanamh leo faoi.

Cúis: Ar mhaithe le sábháilteacht tráchta.

Prior to commencement of development, a transport management plan for the construction stage shall be submitted to, and agreed in writing with, the relevant planning authority. The traffic management plan shall incorporate details of the road network to be used by construction traffic, including over-sized loads, and detailed arrangements for the protection of bridges, culverts or other structures to be traversed, as may be required. The plan shall also contain details of how the developer intends to engage with and notify the local community in advance of the delivery of oversized loads.

Reason: In the interest of traffic safety.

12. Sula gcuirfear tús le haon obair beidh éiceolaí, atá cáilithe i gceart agus an taithí chuí aige nó aici, curtha ar áirithíocht ag an bhforbróir chun suirbhéanna réamhthógála a dhéanamh ag codanna éagsúla na forbartha, san áireamh aon trasnú abhann, ionas go bhfaighfear amach go mbeidh aon speiceas le cosaint san áit. Caithfear aon eiseamal de chineál sin a bhaint ón áit faoi stiúradh díreach an éiceolaí agus iad a athlonnú go dtí gnáthóg oiriúnach neamhbhearnaithe atá in aice láimhe agus faoi cheadúnas maoluithe más gá leis.

Cúis: Ar mhaithe le cúrsaí éiceolaíochta agus le cúrsaí fiadhúlra sa cheantar a chosaint.

The developer shall retain the services of a suitably qualified and experienced ecologist to undertake pre-construction surveys at the various project elements, including any river crossings, immediately prior to commencing work in order to check for the presence of protected species in the vicinity. Any specimens should be removed and relocated to a similar, suitable, undisturbed nearby habitat under the direct supervision of the ecologist and subject to a derogation licence where required.

Reason: In the interest of protecting ecology and wildlife in the area.

13. Nuair a bheidh an droichead sealadach imithe cuirfear ar ais an fásra ar thaobh Abhainn an tSuláin agus ar na fáлта sreach in aice leis an bPríomhbhóthar Náisiúnta N22 agus leis an mBóthar Áitiúil L3400 atá i gceantar na n-oibreacha atá beartaithe.

Cúis: Ar mhaithe le cúrsaí éiceolaíochta agus le cúrsaí fiadhúlra sa cheantar a chosaint.

The vegetation along the banks of the Sullane River and the hedgerows along the N22 National Primary Road and the Local Road L3400 in the vicinity of the proposed works shall be re-instated following the removal of the temporary bridge structure.

Reason: In the interest of protecting ecology and wildlife in the area.

14. Beidh saineolaí éan, a bhfuil cáilithe i gceart agus an taithí chuí aige nó aici, curtha ar áirithíocht ag an bhforbróir chun suirbhéanna cuí maidir le héin an an suímh a dhéanamh gach mí. Cuirfear sonraí na suirbhéanna seo agus na riachtanais tuairiscithe a ghabhann leo le chéile i gcomhairle, agus aontófar iad i scríbhinn, leis an údarás pleanála ábhartha sula gcuirfear tús leis an bhforbairt. Seolfar na tuarascálacha dá bharr ar dháta aontaithe gach bliain ar feadh tréimhse iomlán na forbartha agus gheofar aontú scríofa roimh ré ón údarás pleanála ábhartha. Seolfar cóipeanna de na tuarascálacha chuig An Roinn Ealaíon, Oidhreachta, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta.

Cúis: Ionas go ndéanfar monatóireacht chuí ar an tionchar ag an bhforbairt ar fhána éanúil na háite.

The developer shall retain the services of a suitably qualified and experienced bird specialist to undertake appropriate monthly surveys of this site. Details of the surveys to be undertaken, associated and reporting requirements shall be developed following consultation with, and agreed in writing with, the relevant planning authority prior to commencement of development. These reports shall be submitted on an agreed date annually for the full duration of the proposed development, with the prior written agreement of the relevant planning authority. Copies of the reports shall be sent to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Reason: To ensure appropriate monitoring of the impact of the development on the avifauna of the area.

15. Glanfaidh an forbróir gach trealamh agus gach meaisín atá le húsáid le linn thréimhse na n-oibreacha sula gcuirfear iad ar an suíomh chun stop a chur le haon speiceas ionrach nó le haon phaitigin agus ionas nach dtabharfar isteach sa cheantar iad.

Cúis: Ar mhaithe le pleanáil chuí agus le forbairt inchothaithe an limistéir.

The developer shall ensure that all plant and machinery used during the works shall be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

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

16. Beidh dualgas ar an bhforbróir measúnú seandálaíochta an tsuímh a éascú le haghaidh caomhnú, taifeadadh agus cosaint a dhéanamh d'aon ábhar nó gné sheandálaíochta a d'fhéadfadh a bheith laistigh den láithreán.

Chuige sin, caithfidh an forbróir:

- (a) cur in iúl don údarás pleanála ábhartha i scríbhinn ar a laghad ceithre seachtaine roimh thús aon oibríochta láithreáin (lena n-áirítear imscrúduithe hidreolaíochta agus geotheicniúla) a bhaineann leis an bhforbairt bheartaithe,
- (b) sula gcuirfeadh tús leis an bhforbairt fostóidh an forbróir seandálaí atá cáilithe go cuí. Déanfaidh an seandálaí monatóireacht agus measúnacht ar na hoibreacha ar an láithreán.

Beidh na gnéithe mar seo a leanas mar chuid den mheasúnacht:-

- (i) Nádúr an ábhair seandálaíochta agus cad iad áiteanna an tsuímh ar a bhfuil siad lonnaithe, agus
- (ii) tionchar na forbartha beartaithe ar an ábhar seandálaíochta seo.

Caithfeadh tuarascáil a sheoladh chuig an údarás pleanála ábhartha agus beidh torthaí na measúnachta ar fáil sa tuarascáil seo, agus as an measúnacht seo aontóidh an forbróir leis an údarás pleanála ábhartha sonraí mar gheall ar aon riachtanais seandálaíochta eile a mbeidh gá leo le déanamh (san áireamh, tochailt seandálaíochta, más gá leis) sula gcuirfeadh tús le hoibreacha na tógála.

Cheal comhaontaithe ar aon cheann de na riachtanais sin, cuirfear an t-ábhar ar ais go dtí an Bord Pleanála le cinneadh a dhéanamh.

Cúis: D'fhonn oidhreacht seandálaíochta an láithreáin a chaomhnú agus i dtreo is gur féidir iarsmaí seandálaíochta a d'fhéadfadh a bheith ar an suíomh a chaomhnú agus a chosaint.

The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site.

In this regard, the developer shall:

- (a) notify the relevant 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, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the relevant planning authority and, arising from this assessment, the developer shall agree in writing with the relevant planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

17. Cosnófar gach séadchomhartha taifeadta ar an suíomh le crios maolánach de mhéid 150 méadar agus cosnófar aon ábhar nó gné sheandálaíochta laistigh den suíomh le crios maolánach de mhéid 50 méadar.

Cúis: D'fhonn oidhreacht seandálaíochta an láithreáin a chosaint.

All recorded monuments within the site shall be protected by a 150 metre buffer zone and all identified features of archaeological interest within the site shall be protected by a 50 metre buffer zone.

Reason: In order to protect the archaeological heritage of the site.

18. Beidh saineolaí caomhantais/oidhreachta, a bhfuil cáilithe i gceart agus an taithí chuí aige nó aici, fostaithe ar áirithíocht ag an bhforbróir chun suirbhé iomlán a dhéanamh maidir le Droichead Bhéal Átha Fionnáin i gContae Chorcaí sula gcuirfear tús leis na hoibreacha. Seolfaidh an forbróir ráiteas modheolaíochta agus sonraí maidir leis na hábhair mar gheall ar na hoibreacha aischurtha. Déanfar na hoibreacha ar an gcaighdeán is fearr ó thaobh chaomhantais de agus déanfar iad ar aon dul le riachtanais an údaráis phleanála ábhartha. Aontófar clár ama faoi na hoibreacha leis an údaráis phleanála ábhartha agus cuirfidh an t-údarás phleanála ábhartha an t-eolas seo ar fáil don phobal.

Cúis: Ionas go gcaomhnófar oidhreacht an cheantair.

The developer shall retain the services of a suitably qualified and experienced conservation/heritage consultant to carry out a complete survey of Ballyfinnane Bridge in Co. Cork before works commence. The developer shall submit a method statement and material specification for the re-instatement works which should be carried out to the best conservation standard and in any event to the written requirements of the relevant planning authority. A timeframe for the works shall be agreed with the relevant planning authority and the details shall be made available for public inspection by the relevant planning authority.

Reason: In order to conserve the heritage of the area.

19. Nuair a bheidh an fheirm ghaoithe curtha go páirteach nó go hiomlán as gcoimisiún nó nuair nach mbeidh an fheirm ghaoithe ag feidhmiú ar feadh tréimhse níos mó ná bliain amháin, bainfear na crainn agus na tuirbíní a bhaineann leo agus gach struchtúr díchoimisiúnaithe ón suíomh. Cuirfear ithir ar na bunsráitheanna ionas go gcabhrófar leis an bhfásra. Críochnófar na hoibreacha aischurtha seo i dtreo is go mbeidh an t-údarás pleanála ábhartha sásta fúthu agus sásta aontú scríofa a dhéanamh laistigh de thréimhse trí mhí ó dháta an díchoimisiúnaithe nó trí mhí ó chuirfear deireadh le feidhmiú na feirme gaoithe.

Cúis: Ionas go gcuirfear an suíomh ar ais go sásúil nuair a bheidh an tionscadal críochnaithe go páirteach nó go hiomlán.

On full or partial decommissioning of the wind farm, or if the wind farm ceases operation for a period of more than one year, the wind monitoring mast, the turbines concerned and all decommissioned structures shall be removed, and foundations covered with soil to facilitate re-vegetation. These reinstatement works shall be completed to the written satisfaction of the relevant planning authority within three months of decommissioning or cessation of operation.

Reason: To ensure the satisfactory reinstatement of the site upon full or partial cessation of the project.

20. Sula gcuirfear tús leis an bhforbairt, caithfear suim airgid, banna ó chuideachta árachais, nó urrús eile a bheith sásúil don t-údarás phleanála ábhartha, a thabhairt don t-údarás phleanála ábhartha i dtreo is go mbeifear in ann déileáil le haon damáiste a bheith déanta do na bóithre poiblí de bharr an méid ualaí ag dul thart orthu, nasctha le comhaontú ag tabhairt an cumas don údarás pleanála an t-urrús seo, nó aon chuid de, a úsáid chun aon chuid den bhóthar poiblí a athbhunú go sásúil. Bíodh foirm agus méid an urrúis mar a aontófar idir an t-údarás pleanála ábhartha agus an forbróir, nó ceal aontú, bíodh siad mar a réiteoidh an Bord Pleanála.

Cúis: Chun a chinntiú go mbeifear na bóithre poiblí aischurtha i gceart.

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 relevant planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the relevant planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the relevant planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory reinstatement of the delivery route.

21. Sula gcuirfeadh tús leis an bhforbairt, caithfeadh suim airgid, banna ó chuideachta árachais, nó urrús eile a bheith sásúil an t-údarás pleanála ábhartha, a thabhairt an t-údarás pleanála ábhartha i dtreo is go mbeifear in ann an suíomh a athbhunú go sásúil, nuair a bheidh an fhorbairt thart, nasctha le comhaontú ag tabhairt an chumhacht don údarás pleanála an t-urrús seo, nó aon chuid de, a úsáid chun aon chuid den fhorbairt a athchóiriú. Bíodh foirm agus méid an urrúis mar a aontófar idir an t-údarás pleanála ábhartha agus an forbróir, nó ceal aontú, bíodh siad mar a réiteoidh an Bord Pleanála.

Cúis: Chun a chinntiú go mbeifear an suíomh aischurtha i gceart.

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

Reason: To ensure the satisfactory reinstatement of the site.

22. Íocfaidh an forbróir suim airgid do na húdaráis phleanála mar ranníoc leith bonneagair phoiblí agus saoráidí poiblí a théann chun tairbhe d'fhorbairt i limistéar na n-údarás phleanála agus a sholáthraítear, nó a bhfuil ar intinn go soláthrófar iad, ag na húdarás phleanála nó thar a gcinn de réir téarmaí na Scéime Ranníocaí Forbartha déanta faoi Alt 48 den Acht um Pleanáil agus Forbairt, 2000. Íocfar an ranníoc roimh thosú na forbartha nó ina leithéid de íocaíochta chomhleanúnacha a éascódh na húdaráis phleanála agus bíodh sí faoi réir aon fhorálacha chuí innéacsaithe den scéim ag an am íoctha. Aontófar an cheist idir na húdaráis phleanála agus an forbróir maidir leis am méid innéacsaithe agus mura n-aontófar é caithfear an cheist a chur chuig an mBord Pleanála chun cinneadh a dhéanamh faoi chur i bhfeidhm ceart na Scéime.

Cúis: Is riachtanas den Acht um Pleanáil agus Forbairt, 2000 coinníoll a chur leis an gcead ag éileamh ranníoc de réir na Scéime Ranníocaí Forbartha atá déanta faoi Alt 48 den Acht sin.

The developer shall pay to the relevant planning authorities a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authorities that is provided or intended to be provided by or on behalf of the planning authorities 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 the commencement of development or in such phased payments as the planning authorities 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 authorities and the developer or, in default of such agreement, the matter shall be referred to An Bord 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.

SCEIDEAL COSTAS/SCHEDULE OF COSTS

De réir alt 37H(2)(c) den Acht um Pleanáil agus Forbairt, 2000, arna leasú, is é an méid seo airgid ~~€38,380~~ atá le haisíoc ón mBord Pleanála leis an iarratasóir.

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be refunded by An Bord Pleanála to the applicant is ~~€38,380~~.

Is féidir miondealú ar chostais an Bhoird Phleanála a fheiceáil ar Aguisín 1 atá nasctha.

A breakdown of An Bord Pleanála's costs is set out in the attached Appendix 1.

**Ball den Bhord Pleanála a bhfuil
údarás aige/aici séala an Bhoird
a fhíordheimhniú.**

Dátaithe ar an lá seo de 2016.