



An  
Bord  
Pleanála

## Inspector's Report PL08.248434

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<b>Development</b>	Solar PV Farm with up to 39,100 sq.m. of solar panels, 2 control cabins, inverter units, hardstanding area, fencing, demolition of agricultural buildings and associated site works.
<b>Location</b>	Dromroe, Causeway, Co. Kerry
<b>Planning Authority</b>	Kerry County Council
<b>Planning Authority Reg. Ref.</b>	16/802
<b>Applicant</b>	Reeve Wave Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant subject to conditions
<b>Type of Appeal</b>	1 <sup>st</sup> Party v. Condition
<b>Appellant</b>	Reeve Wave Ltd.
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	06/07/17
<b>Inspector</b>	Pauline Fitzpatrick

## 1.0 Site Location and Description

- 1.1. The site, which has a stated area of 15.55 hectares, is located in the townland of Dromroe c. 2.5km to the south-east of Causeway village and c. 4.4km south of Ballyduff village in north County Kerry. Listowel is c.14.6km to the north-east and Tralee c.16km to the south. The site is located on the southern side of local road L1031 from which access is currently available and is c. 450m west of the local road's junction with the R556 (Ballycrossig crossroads). The area is characterised by agricultural activities and pockets of commercial forestry with one off housing throughout.
- 1.2. The site is irregular in shape, part of which was previously occupied by a horticultural business (Redfield Nurseries). It comprises of agricultural fields with the boundaries delineated by hedgerows with agricultural buildings noted in the centre. It has frontage onto the R556 to the east and local road L1031 to the north. The site is relatively level with falls to the Crompaun river which delineates the southern site boundary. One off housing backs onto part of the site along local road L1031.

## 2.0 Proposed Development

- 2.1. The application was lodged with the planning authority on the 19/08/16 with further plans and details received 21/12/16 and 10/03/17 following a request for further information dated 11/10/16 (and subsequent correspondence requiring omissions from FI dated 12/01/17).
- 2.2. The proposal is seeking a 10 year permission for a solar farm. The main elements of the proposed development can be summarised as follows:
  - Up to 24,500 solar PV modules covering an area of up to approx. 39,100 sq.m.
  - 2 no. electricity control cabins
  - Underground cable and ducts
  - Invertor units
  - Temporary hardstanding area
  - Boundary security fencing (mammal accessible)

- Site entrance and upgrade of existing track from L1031
- Site landscaping
- CCTV
- Demolition of agricultural buildings

2.3. The PV modules are ground mounted on galvanised steel support structures/frames which are fixed at an angle of 20-25 degrees and face south. The panels will have a maximum height above ground of 3.8 metres.

2.4. Connection to the national grid is via the Causeway 38kV substation in the townland of Dromkeen West south of Causeway village to the north-west. It is to follow the local road west for c.1.25km turning north for 0.5km to the substation.

It is anticipated that the installed generated capacity will be approx. 6.1MW.

2.5. The application, as amended, is accompanied by:

- Letter of consent from landowner
- Planning and Environmental Report
- Flood Risk Assessment
- Drawings and Photomontages
- Cone of Visibility and Visual Analysis
- Refurbishment & Demolition Survey
- Construction and Environmental Management Plan
- Landscaping Plan
- Archaeological Impact Assessment Report
- Traffic Management Plan
- Appropriate Assessment Screening Report

## 3.0 Planning Authority Decision

### 3.1. Decision

Grant permission subject to 19 conditions. Of note:

Condition 5: the solar arrays in field adjacent to R556 and the field west of same to be omitted.

Condition 6: Permission for 30 year period,

Condition 7: Permission not to be construed as form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Condition 11: Buffer to be retained between works and the stream to the south. Palisade fence to be accessible to mammals.

Condition 15: Noise requirements.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The **1<sup>st</sup> Planner's** report dated **10/10/16** recommends FI on proposed grid connection, sightlines and drainage at site entrance, sightlines at junction of R556 and L1031, condition of L1031, survey of buildings to be demolished, archaeological testing, additional photomontages including one from R556 omitting solar arrays for depths of 200 and 380 metres and clarification of landscaping proposals. There are serious concerns in relation to the visual impact of the proposal particularly when viewed from R556 to the east and south-east. Additional landscaping along existing drainage channels is recommended to break up the scale of the development. The **2<sup>nd</sup> report** following FI dated **06/04/17** states that having regard to the sloping nature of the site, its proximity to the R556 and its visibility from same it is necessary to omit solar arrays in the field adjacent to R556 and the field west of same to ensure the protection of the rural environment in accordance with development plan policies. A grant of permission subject to conditions is recommended.

### 3.2.2. Other Technical Reports

The **County Archaeologist** recommends that pre-development archaeological testing be carried out due to the scale of the development. The **2<sup>nd</sup> report** following FI notes the archaeological report. No further mitigation required.

**Executive Planner (Conservation)** has no objection.

The **1<sup>st</sup> report** from the **Listowel Roads Office** recommends FI on grid connection route, sightlines and drainage at site entrance, assessment of junction of R556 & L-1031 and condition of L-1031. The **2<sup>nd</sup> report** following FI recommends a grant of permission subject to conditions.

**Building Control Officer** has no objection.

The **1<sup>st</sup> report** from **Environment Section** recommends FI on demolition of agricultural buildings on site and presence of asbestos. The **2<sup>nd</sup> report** following FI has no objection subject to conditions.

**Biodiversity Officer** concurs with the findings of the Stage 1 Screening report. Significant effects on Natura 2000 sites from indirect impacts on water quality are not considered likely. The structures proposed for demolition are not deemed likely to support or offer suitable breeding habitat for bat species.

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

None

## 4.0 Planning History

PL08.238622 – permission refused on appeal in July 2011 for demolition of buildings and construction of materials recovery facility in four buildings. The reasons for refusal relate to industrial type use in an unserved rural area, substandard width of local road and risk of pollution of the Crompaun River.

## 5.0 Policy Context

### 5.1. International Guidelines

There is a range of UK Guidance. The main guidance notes are Planning Practice Guidance for Renewables and Low Carbon Energy (DCLG 2013) and Planning Guidance for the development of Large Scale Ground mounted Solar PV systems (BRE 2013). Both refer to the desirability of preserving good agricultural lands and set out issues and mitigations. The BRE Guidance provides advisory information on planning application considerations including construction and operational works, landscape / visual impact, ecology, historic environment, glint and glare and duration of the planning permission. The document also provides guidance on the information which should be provided within a Landscape and Visual Impact Assessment. The document also provides guidance on EIA Screening procedures.

### 5.2. National Guidelines

- 5.2.1. Government White Paper ‘Ireland’s Transition to a Low Carbon Energy Future 2015 – 2030’, published in December 2015.

The White Paper sets out a framework to guide energy policy to 2030. Paragraph 137 states that the deployment of solar in Ireland has the potential to increase energy security, contribute to our renewable energy targets, and support economic growth and jobs.

- 5.2.2. The National Spatial Strategy 2002 - 2020

This document states, “in economic development the environment provides a resource base that supports a wide range of activities that include agriculture, forestry, fishing, aqua-culture, mineral use, energy use, industry, services and tourism. For these activities, the aim should be to ensure that the resources are used in sustainable ways that put as much emphasis as possible on their renewability” (page 114).

### 5.3. **South-West Regional Planning Guidelines 2010-202**

Objective RTS-09:

- to facilitate the sustainable development of additional electricity generation capacity throughout the region and to support the sustainable expansion of the network. National grid expansion is important in terms of ensuring adequacy of regional connectivity as well as facilitating the development and connectivity of sustainable renewable energy resources.
- to ensure that future strategies and plans for the promotion of renewable energy development and associated infrastructure development in the Region will promote the development of renewable energy resources in a sustainable manner.
- to promote the sustainable provision of renewable energy from tidal, wave and pumped storage developments together with bioenergy resources, as critical elements of the long-term secure energy supply throughout the region.

### 5.4. **Kerry County Development Plan 2015-2021.**

Objective EP-1 – support and facilitate the sustainable provision of a reliable energy supply in the County, with emphasis on increasing energy supplies derived from renewable resources whilst seeking to protect and maintain biodiversity, archaeological and built heritage, the landscape and residential amenity.

Objective EP-11 – implement the Renewable Energy Strategy for County Kerry (2012).

The site is located in an area zoned Rural General. Rural landscapes within this designation generally have a higher capacity to absorb development than the other rural designations. It is important that development in these areas be integrated into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development.

#### 5.4.1. Kerry County Renewable Energy Strategy 2012 (adopted November 2012)

Paragraph 7.4.8.5 states that in terms of solar PV arrays the applicant will be required to demonstrate that, within the constraints imposed by technical

requirements, the proposed disposition of structures and panels minimises visual impacts.

Objective NR7-56 – the Planning Authority will support and facilitate the development of solar energy where proposals comply with the requirements set out above, the requirements of development management standards, and the provisions of the Kerry County Development Plan 2009-2015.

## **5.5. Natural Heritage Designations**

The site is not located within a designated Natura 2000 site. The nearest is the Lower River Shannon SAC (site code 002165) c. 3km to the north-east.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The submission by McCarthy, Keville, O'Sullivan on behalf of the 1<sup>st</sup> Party is against condition 5 attached to the planning authority's notification of decision to grant permission which requires the omission of solar panels. It is accompanied by a landscape and visual assessment and photomontages. The grounds of appeal can be summarised as follows:

#### **6.1.1. Visual Impact**

- The condition would result in the omission of 10,559 sq.m. of solar panels which equates to 27% of the entire proposal. This omission reduces the estimated operating capacity from 6.1MW to approx. 4.45MW. The reduction would bring the viability of the project into question.
- The site has been accepted as an appropriate location for a solar array.
- There are no sensitive landscape designations on, or in the vicinity of the site. There are no scenic routes or protected views.
- The panels required to be omitted do not present an overbearing impact on the landscape or on general visual amenity in the vicinity.



- The Landscape and Visual Impact Assessment takes due consideration of the screen planting proposed in the landscaping plan. It concludes that the proposal would have a medium-low visual impact and, following mitigation, would have a low visual impact. The low visual impact can be described as where there is loss of or change to landscape features of limited extent, and where these changes do not have an effect on the overall landscape character or affect key characteristics. Changes to the overall aesthetics of the landscape are low. Changes to the landscape are more evident at a local level and not over a wide geographical area.
- Open views are available from the R556 travelling from the southeast for a short section from approx. 200 metres southeast of the site up to the site boundary at Crompaun Bridge, only.
- The subject site is low lying with a maximum height of approx. 10m AOD. The site is already well screened by existing vegetation which is to be further augmented. Considerable screening is proposed to the south-eastern section of the site, where the panels are set back from the road and planting is proposed to screen same from the adjacent residence and from the public road. Photomontage submitted in support.

#### 6.1.2. **Other Issues**

The proposal complies with international, national, regional and local policy provisions.

#### 6.2. **Planning Authority Response**

No response received.

#### 6.3. **Observations**

None

#### 6.4. **Section 131 Notice**

The Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs was invited to make a submission/observation on the appeal. No response received.

## 7.0 Assessment

Whilst the 1<sup>st</sup> Party appeal is with respect to condition 5 attached to the planning authority's notification of decision I consider it appropriate to assess the proposal from first principles and I consider that the issues arising can be addressed under the following headings:

1. Principle of Development
2. Visual Impact
3. Other Issues
4. AA- Screening

### 7.1. Principle of Development

- 7.1.1. The proposed development is supported by national, regional and local policies in terms of renewable energy. Paragraph 130 of 'Transition to a low carbon Energy Future 2015-2030 - White paper on Energy policy' recognises that solar energy will become more cost effective as technology matures and that it will be an integral part of the mix of renewables going forward. At a regional level it is an objective of the South West Regional Planning Guidelines to facilitate the sustainable development of additional electricity generation capacity throughout the region and to support the sustainable expansion of the network.
- 7.1.2. This national and regional policy context informs the County Development Plan and I note that Objective EP-1 places an emphasis on increasing energy supplies derived from renewable resources, whilst objective EP-3 seeks to facilitate sustainable energy infrastructure provision so as to provide for the further physical and economic development of the County. It is also an objective of the plan to implement the Kerry County Council Renewable Energy Strategy 2012 in which it is an objective (NR 7-56) to support and facilitate the development of solar energy subject to certain requirements.
- 7.1.3. Therefore, I consider that the proposal is acceptable in principle and would contribute to the diversity of sources of energy supply and hence the security of supply. I would note that the acceptability of the proposal is contingent on other issues including impacts on inter alia visual and residential impact.

## 7.2. Visual Impact

- 7.2.1. This constitutes the substance of the 1<sup>st</sup> party appeal which is specifically against condition 5 of the planning authority's decision to grant permission requiring the omission of solar panels in proximity to the R556 that bounds the site to the east. As per the appeal submission this would result in the omission of 10,559 sq.m. of solar panels which equates to 27% of the entire proposal and would reduce the estimated operating capacity from 6.1MW to approx. 4.45MW. It is also stated that the reduction would bring the viability of the project into question.
- 7.2.2. The subject site covers an area of 15.5 hectares and the landscape is low lying with a maximum height of approx. 10m AOD sloping down to the Crompaun river which bounds the site to south. It directly abuts the R556 to the east and extends in a westerly then northerly direction with frontage onto the local road to the north.
- 7.2.3. The proposed development is located on lands designated "Rural General" in the Kerry County Development Plan 2015 – 2021. Rural General is described as lands having a higher capacity to absorb development than the other rural designations (e.g. Rural Prime Special Amenity and Rural Secondary Special Amenity). In addition, there are no scenic routes or protected views in the vicinity. Although referenced in the development plan a Landscape Character Assessment has not, as yet, been undertaken.
- 7.2.4. The potential landscape and visual impact of the scheme is considered in the Landscape Section of the Planning and Environment Report that accompanied the application which is supported by photomontages. This is further supplemented by details provided by way of further information. It concludes that the existing landscape consisting of a setting which is a working rural landscape would, following mitigation, have a low visual impact. The Board will note the intention of the applicant to retain existing hedgerows within and abounding the site as well as proposals to reinforce the existing site boundaries with further planting.
- 7.2.5. By reason of the existing planting along the northern boundary to the local road and to the rear boundaries of the houses that back onto the site, the proposed development will be screened from same. In my opinion the issues of visibility are restricted to views from the R556 to the east and from the cul-de-sac road to the south.

- 7.2.6. In terms of the visual impact along the R556 I submit that by reason of the topography of the area and the existing vegetation, views of the site are screened when travelling in a southerly direction along the regional road. The substantive issue pertains to the views available when travelling from the south. As originally proposed solar panels were to be installed in proximity to the boundary with the R556. Following a further information request the setback from the regional road is increased from between 12-15 metres to a minimum of 55 metres. In addition, the roadside hedgerow is to be augmented and additional landscaping proposed to the north and south. Proposals accompanying the appeal detail further augmentation of the landscaping at this point.
- 7.2.7. Having regard to the details in the Cone of Visibility and Visual Analysis and my site inspection I would concur with the agent for the applicant that the views are limited to c.200 metres southeast of the site up to the site boundary at Crompaun Bridge. As stated in the analysis the observer is unlikely to be stationary but most likely will be in a vehicle travelling at speed. As evidenced from Photomontage 3 accompanying the further information and photomontage 3 accompanying the appeal, which incorporates the augmented landscaping proposals along the eastern boundary, views from the regional road when said planting is in place would be largely screened.
- 7.2.8. In terms of cul-de-sac road to the south of the site at Aghabeg West I consider that photomontage 5 is largely representative of the views available along same although I note that two properties which are to the north of the road will have unrestricted views of the proposed development.
- 7.2.9. In conclusion whilst there is no doubt that the proposed development would change the local landscape from a visual perspective, in my view the established landscape is capable of absorbing change. Having regard to the mitigation measures proposed and the absence of any designations in the area, I am satisfied that the proposed development in its entirety would not adversely impact on the landscape and visual amenities of the area. I therefore recommend that the requirements of condition 5 as attached be removed.

### 7.3. Other Issues

- 7.3.1. The issues of **glint and glare** are dealt with in the Planning and Environment Report that accompanies the application. It is noted that the proposed development does not include tracking panels and that the panels are instead fixed in one orientation, facing due south. Solar PV panels, in order to be efficient, need to absorb as opposed to reflect solar irradiation and therefore have an anti-reflective coating. I therefore accept the conclusions of the Planning and Environment Report that it is not considered that there will be any significant nuisance effects to surrounding dwellings or along surrounding roads from glint and glare generated by the proposed solar farm.
- 7.3.2. A **Traffic & Transportation Assessment** was submitted with the Planning and Environment Report that accompanied the application. For developments of this nature the construction phase is the busiest period in terms of both additional traffic volumes generated on the network and the geometric requirements of the heavy goods vehicles that will be used to deliver material to and from the site. During the operational phase of the solar farm the impact on the surrounding local road network will be negligible save for the occasional visit by maintenance staff to the site.
- 7.3.3. The effects of construction traffic on the operation of the adjoining road network would be acceptable in light of the likely temporary duration involved. Given the location of the appeal site served by an existing entrance where improved sight lines can be attained by the removal of the existing block walls, together with the nature and layout of the proposed scheme, I am satisfied that the vehicular movements generated by the scheme would not have a significant material impact on the current capacity of the road network in the vicinity of the site or conflict with traffic or pedestrian movements in the immediate area.
- 7.3.4. In terms of **flooding** I refer to the Flood Risk Assessment that accompanies the application in which it is noted that the southern portion of the site is prone to flooding during high and extreme weather events and is within Flood Zone A with the remainder of the site is in Flood Zone C. As the development is considered to be a vulnerable development in accordance with the DoEHLG 2009 guidelines a justification test was carried out. No vulnerable/sensitive components of the development such as the proposed control cabins will be located below 3.75mOD.

The panels are elevated above ground level and there is a built in design ability to turn certain panels off in the event of flooding.

- 7.3.5. Having regard to the information available on file I am satisfied that the potential impacts of the proposed development in terms of flooding have been established and that the type of development proposed is appropriate for this flood zone. I do not consider that the proposed development would exacerbate the risk of flooding in the area.
- 7.3.6. Schedule 5 of the Planning and Development Regulations, 2001 (as amended), sets out Annex I and Annex II projects which mandatorily require an **EIS**. Part 1, Schedule 5 outlines classes of development that require EIS and Part 2, Schedule 5 outlines classes of developments that require EIS but are subject to thresholds. Solar farms are not listed as a class of development under either Part 1 or 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, and therefore, I conclude that a mandatory EIA and the submission of an EIS is not required. I note that there are some projects under No. 3 of Part 2, 'Energy Projects' which relate to energy production, but suggest that none of these projects would be applicable to a solar farm as proposed. In addition as the solar farm development is not a development set out in Schedule 5 I do not consider that the subject development is a 'sub-threshold development' for the purpose of EIA. The Board will note that a similar conclusion has been reached in relation to their recently decided solar farm developments including references PL04.244539, PL26.244351 and PL04.245862 and PL04.246527.

#### 7.4. **Appropriate Assessment Screening**

The application was accompanied by an Appropriate Assessment Screening Report  
*Project Description and Site Characteristics*

The proposed development is as described in sections 1 and 2 above.

*Relevant Natura 2000 Sites, Qualifying Interests and Conservation Objectives*

I refer to Figure 5.1 of the screening report which identifies European Sites within 15km supported by the details provided in Table 5.1 setting out the qualifying interests and the conservation objectives for each Site within the said area. As noted the Lower River Shannon SAC (Site No 002165) is approx. 3km to the north-

east of the appeal site the qualifying interests including habitat and species dependent on water quality. Detailed conservation objectives have been prepared for same the overall aim being to maintain or restore the favourable conservation status of habitats and species of community interest.

#### *Assessment of likely effects*

As the site is not within a designated site no direct impacts will arise.

As there is a hydrological connection between the site via the drainage ditches and the Crompaun Stream (bounding site to the south) to the Lower Shannon SAC there is potential for indirect effects from emissions to ground and surface water during the construction phase such as silt laden run off, hydrocarbons or other pollutants.

The hydrologic distance between the site and the SAC is 3.8km. No instream works are proposed. Taking into consideration the incorporation of best practice methods during the construction phase to protect against sediment and hydrocarbon release, in addition to measures to protect against invasive species coupled with the distance between the site, I would concur with both the conclusions of the Screening report submitted and the conclusions of Kerry County Council Biodiversity Officer that no indirect impacts are envisaged

In terms of cumulative impacts I have regard to the rural character of the area dominated by agricultural uses and one off housing. I am not aware of any large planned or permitted development in the vicinity. The proposed development therefore is not considered to result in cumulative effects.

#### *Screening Statement and Conclusions*

In conclusion having regard to the foregoing and on the basis of the information available, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually and in combination with other plans or projects would not be likely to have a significant effect on any European Site and in particular site code 002165 in view of the site's Conservation Objectives and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## 8.0 Recommendation

- 8.1. Having regard to the foregoing I recommend that permission for the above described development be granted for the following reasons and considerations subject to conditions.

## 9.0 Reasons and Considerations

Having regard to the scale, extent and layout of the proposed development and to the "Rural General" designation of the local area in the current Kerry County Development Plan, it is considered that, subject to compliance with the conditions set out below, the proposed solar farm would not seriously injure the visual and residential amenities of the area, would be acceptable in terms of landscape impacts and traffic safety and convenience and would not endanger human health or the environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 21<sup>st</sup> day of December, 2016 and the 10<sup>th</sup> day of March, 2017 and by the further plans and particulars received by An Bord Pleanála on the 3<sup>rd</sup> day of May, 2017 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. 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 Board considered it reasonable and appropriate to specify a period of the permission in excess of five years.

3. The permission shall be for a period of 25 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.

**Reason:** To enable the planning authority to review the operation of the solar array in the light of the circumstances then prevailing.

4. 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 public health.

5. The proposed development shall be undertaken in compliance with all environmental commitments made in the documentation supporting the application.

**Reason:** To protect the environment.

6. All landscaping, including augmentation of existing boundary trees and hedgerows, shall be planted to the written satisfaction of the planning authority prior to commencement of development. 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. Existing field boundaries including

hedgerows and trees shall be retained.

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

7. The control cabins and inverter units shall be dark green in colour. The external walls of the proposed substation shall be finished in a neutral colour such as light grey or off-white and the roof shall be of black tiles.

**Reason:** In the interest of the visual amenity of the area.

8. (i) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
- (ii) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
- (iii) 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.
- (iv) The solar panels shall have driven or screw pile foundations only, unless otherwise agreed in writing with the planning authority.
- (v) Cables within the site shall be located underground.

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

9. (i) Prior to commencement of development, a detailed restoration plan, including a timescale for its implementation, shall be submitted to, and agreed in writing with, the planning authority.
- (ii) On full or partial decommissioning of the solar array, or if the solar array ceases operation for a period of more than one year, the site, including access road, shall be restored and structures removed in accordance with

the said plan within three months of decommissioning/cessation, to the written satisfaction of the planning authority.

**Reason:** To ensure the satisfactory reinstatement of the site on full or partial cessation of the proposed development.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
  - (a) 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,
  - (b) measures to obviate queuing of construction traffic on the adjoining road network,
  - (c) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
  - (d) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
  - (e) 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,
  - (f) details of on-site re-fuelling arrangements, including use of drip trays,
  - (g) details of how it is proposed to manage excavated soil, and
  - (h) 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

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the

planning authority.

**Reason:** In the interest of environmental protection, amenities, public health and safety.

11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site as envisaged in condition number 8 above. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

12. 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 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.

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**Pauline Fitzpatrick**  
**Senior Planning Inspector**

**July, 2017**