



An
Bord
Pleanála

Inspector's Report PL20.248780

Development	10 Year Permission for a solar photovoltaic energy development.
Location	Creevyquinn, Roscommon, Co. Roscommon.
Planning Authority	Roscommon County Council.
Planning Authority Reg. Ref.	PD/17/28.
Applicant	Gaelectric Renewable Energy Developments Limited.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party -v- Grant
Appellants	Tom Quigley and Others.
Observers	None.
Date of Site Inspection	18 th September, 2017.
Inspector	Paul Caprani.

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1.0 Introduction

PL20.248780 relates to a third party appeal against the decision of Roscommon County Council to issue notification to grant planning permission for a solar photovoltaic energy development on a 13.66-hectare site outside Roscommon Town. The grounds of appeal argue that the proposed development will have an unacceptable adverse impact on the visual and residential amenities of the area, and inappropriate ground conditions exist to facilitate the proposed development. Furthermore, the grounds of appeal argue that the applicant failed to carry out a proper Appropriate Assessment and that an EIAR should have been submitted with the application.

2.0 Site Location

- 2.1. The subject site is located on agricultural lands in the townland of Creevyquinn. Creevyquinn is located approximately 2 kilometres east from the northern environs of Roscommon Town. The subject site is located on the northern side of a local road the (L7122 or L1811) which links up with the N63 National Secondary Route (Roscommon – Longford Road) approximately 1.5 kilometres to the west. The subject site is roughly rectangular in shape and has a road frontage of approximately 360 metres and a site depth of approximately 480 metres. It comprises of five large fields which are currently under grass. At the time of site inspection, the more westerly fields were fallow and overgrown whereas the largest field along the eastern boundary of the site was used for the grazing of cattle. The fields are separated by hedgerows interspersed with mature trees. Mature trees and hedgerows also run along the roadside boundary of the site. There are a number of copses of mature trees along the rear boundary of the site. The application site is relatively level and lies at an elevation of approximately 50 to 58 metres AOD. The topography of the wider area can likewise be described as flat.
- 2.2. The surrounding area is characterised by agricultural land interspersed with one-off dwellinghouses. Many of these one-off dwellings have coalesced to create strips of ribbon development. Large scale residential development in the form of one-off

housing and ribbon development is located along the southern side of the access road leading to the site (the L7122). I estimate that there are six dwellings directly facing the site on the southern side of the local access road. I estimate that along a kilometre stretch of road in the vicinity of the site there are approximately 30 dwellinghouses located along the L7122. All but five of these houses are located on the southern side of the access road. The nearest dwellinghouse on the northern side is located approximately 130 metres to the east of the eastern boundary of the site. The remnants of a large ringfort are located on lands adjacent to the western boundary of the site.

- 2.3. The access road serving the site (the L7122) is a relatively narrow road but is capable of accommodating two cars in opposite directions along its alignment. There are also a number of setback/layby areas to the front of more recently constructed dwellinghouses.

3.0 Proposed Development

- 3.1. Planning permission is sought for the construction of a photovoltaic solar panel farm on the subject site. Rows of solar panels will be orientated towards the south and will be angled at 20 to 30 degrees in order to maximise daylight capture. The panels will be mounted on a simple galvanised metal framework and will have a maximum height of between 1.7 and 2.8 metres. The panels will be between 0.7 metres and 0.9 metres above ground level at the lowest point. The panels will be set out on “tables”. Each table is expected to comprise of two rows of up to 24 solar panels. According to the information contained on file, the number and spacing of panel mounting posts will vary depending on ground conditions. The various panel tables will be separated by a distance of between 3.5 and 7 metres to allow for operational access and to ensure that no shadow casting between tables occur. The tables will be erected on posts which will be either screw piled or directly driven into the ground and as such no excavation works or concrete foundations will be required. It is only in the case where piling is not appropriate, a precast concrete footing is proposed.
- 3.2. A number of access tracks are provided in and around the table areas. The solar panels will be setback at least 50 metres from residential dwellings to ensure that residential amenity is minimised. Up to three inverter and transformer stations will be

installed. Each station will be either a single structure with maximum dimensions of 9.2 metres by 3.2 metres and 3.45 metres in height or two separate adjacent structures. The inverter and transformer stations have the appearance similar to that of a 40-foot metal shipping container.

- 3.3. It is also proposed to provide a substation building which will incorporate a rendered finish and a tiled pitched roof. The dimensions of this building are approximately 10.7 by 5.4 metres with a height of 4.7 metres. The drawings submitted indicated that the substation will be located approximately 150 metres north of the southern boundary of the site and approximately 30 metres from the eastern boundary of the site. The purpose of the new substation is to house the required ESB network metering and control equipment along with the switch gear from the solar farm and the control room for the solar farm control equipment. Cables connecting the substation to the rest of the development will be placed underground. High perimeter fencing is proposed between 1.8 and 2 metres in height. CCTV cameras will be interspersed along the perimeter fencing and throughout the solar farm. The posts on which the CCTV cameras will be mounted will be between 4 and 4.5 metres in height.
- 3.4. It is also proposed to provide a small weather station to monitor prevailing meteorological conditions. This station will be mounted on a tower not exceeding 5 metres in height and is located centrally within the northern portion of the site.
- 3.5. Access to the site is located approximately 50 metres from the south-west boundary of the site. A series of unpaved access tracks between 3.5 and 4.5 metres wide are proposed. A temporary construction site compound will be located near the entrance to the site at the south-western corner of the development. The connection point to the ESB network distribution system will be at the on-site substation. The on-site substation will connect with the 38kV Roscommon Substation located approximately 1.6 kilometres to the west adjacent to the N69 north of Roscommon Town.
- 3.6. According to the information submitted with the application it is stated that the development can be expected to provide in the region of 4,466 megawatt hours which is equivalent of providing renewable energy for 890 homes. This will result in CO₂ reductions of approximately 2,000 kg per annum.

4.0 Planning Authority Assessment

4.1. Decision

Roscommon County Council issued notification to grant planning permission subject to 24 conditions.

4.2. Documentation Submitted

4.2.1. The application was lodged by Gaelectric Renewable Energy Developments Limited on 25th January, 2017. The application was accompanied by:

4.2.2. A Planning and Environmental Report which sets out details of the following:

Section 1 of the report sets out

- Details of the applicant.
- Details of pre-planning engagement.
- Details of the environmental impact assessment.
- Details of public consultation undertaken.

Section 2 of the report goes on to outline the planning policy context referring to international, national, regional and local policy.

Section 3 of the report sets out relevant planning history in respect of solar planning applications in Ireland.

Section 4 sets out the site location and the planning description.

Section 5 sets out an ecological impact assessment and an appropriate assessment screening. The report concludes that there is no potential for significant impacts on either Lough Ree SAC or Lough Ree SPA - the closest Natura 2000 sites to the subject application site.

Section 6 of the report sets out details of the landscape and visual impact assessment having particular regard to potential glint and glare arising from the proposal. It states that the impact on local receptors has been analysed in detail and it is suggested that any impact will be extremely limited and therefore of low significance.

Section 7 sets out details in relation to archaeology, architectural and cultural heritage assessment. It concludes that the proposed solar farm will not substantially impact on any known heritage assets in the vicinity. However, archaeological monitoring will take place as part of the proposal.

Section 8 contains a traffic and transportation assessment. It is concluded while the proposed development will give rise to some construction traffic it is considered that traffic impact during the operational period will be negligible. Appendix J of the submission sets out an overall framework for managing the movement of construction and delivery traffic.

Section 9 sets out details in relation to hydrology, geology and flood risk assessment, as well as providing details of an outline construction environmental management plan. It is stated that the proposed development does not accentuate the potential for flood risk. A drainage impact assessment is included as part of the hydrology investigations and a proposed drainage strategy together with mitigation measures for geology, hydrology and hydrogeology is set out.

Section 10 sets out details in relation to a noise impact assessment. It concludes that while some noise is expected during the construction phase, appropriate mitigation measures will be put in place to ensure that noise levels are kept to an acceptable limit. No significant noise issues arise from the operational phase according to the assessment.

Section 11 suggests the conditions that could be attached to any grant of planning permission in respect of site layout design, construction and decommissioning. While Section 12 of the report sets out the overall conclusions.

4.2.3. A number of appendices are attached. These include:

- Appendix A - Public Consultation Information.
- Appendix B - Noise Impact Assessment.
- Appendix C - Ecological Impact Assessment.
- Appendix D - Appropriate Assessment Screening Report.
- Appendix E - Outline Construction Environmental Management Plan.
- Appendix F - Landscape and Visual Impact Assessment.
- Appendix G - Ecological and Landscape Mitigation Plan.

- Appendix H - Glint and Glare Assessment.
- Appendix I - Archaeology, Architectural Heritage and Cultural Heritage Impact Assessment.
- Appendix J - Construction Traffic Management Plan.
- Appendix K - Hydrology, Geology and Flood Risk Assessment.
- Appendix L - Tree Survey Report.

4.3. **Observations and Submissions from Proscribed Bodies**

- 4.3.1. An observation objecting to the proposed development from the current appellants was submitted to the Planning Authority, the contents of which have been read and noted. Other letters of objection were also submitted, the contents of which have been read and noted.
- 4.3.2. A submission from An Taisce states that a strategic national and regional strategy is required for the solar array development. The Council should ensure optimum site suitability is selected protecting biodiversity sensitive areas, archaeological heritage and good tillage lands.
- 4.3.3. A report from the NPWS notes that the proposed cable for the grid connection has not been included within the above application. It is also noted that no environmental impact statement has been produced for this application. The conclusion that there is no potential for direct impacts of the proposed development on any Natura 2000 sites is queried from the information submitted with the documentation provided. Impacts arising from the panels themselves on the qualifying interests of the Lough Ree SPA have not been assessed. The potential impact on birds and bird movement in the area to and from roosting and feeding areas should have been assessed. Questions are also raised in relation to the wintering birds survey.
- 4.3.4. The exact route and construction specifications for either the proposed grid are not provided in the documentation. Any overhead cable should be considered in terms of the potential impact on bird movement in the area.
- 4.3.5. A separate report from the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs was submitted in respect of archaeology. It is stated that

archaeological monitoring should be carried out as part of the development details of which are set out in the report.

4.4. Initial Assessment by the Planning Authority and Additional Information Request.

- 4.4.1. A report from the Environmental Section states that the Environmental Section has no issue with recommending a grant of planning permission for the proposed development subject to all mitigation measures outlined in the various reports submitted. Existing hedgerows shall be supplemented to screen development.
- 4.4.2. The planner's report notes that there are no national guidelines in respect of solar farm development. In particular, there are no guidelines in relation to separation distances of panels from houses. The impact of the proposal in terms of noise and fire are deemed to be acceptable. In terms of the impact arising from glint and glare, the report argues that further clarification is recommended.
- 4.4.3. In terms of landscape and visual impact, the planner's report assesses the proposal from each of the viewpoints contained in the landscape and visual impact assessment figures (Volume 1 and 2). Overall, it concludes that the proposed development will be reasonably screened and that the visual impact will be negligible. Fencing arrangements are also deemed to be acceptable. The impact in terms of loss of agricultural and is deemed to be negligible.
- 4.4.4. In terms of soils, hydrology and surface water drainage, it is considered that the proposed development would not significantly alter the surface water regime which would result in additional flooding of the subject site. Notwithstanding this conclusion it is recommended that further details be provided in relation to surface water run-off. Further details should also be sought in relation to access and entrance arrangements.
- 4.4.5. In terms of archaeology, it is considered that monitoring measures required by the Department could be conditioned as part of any grant of planning permission. It is not considered that the proposed development would have an unduly negative impact on the ecology of the area. With regard to grid connection, it is stated that the requirements of associated grid connection should be assessed on its own merits pending a subsequent application.

- 4.4.6. The report also makes comments in relation to health consideration, CCTV and lighting proposals.
- 4.4.7. In terms of appropriate assessment, it is considered that no element of the proposed development alone or in combination with other plans or projects is likely to have significant effects on any conservation objectives of a European site. In terms of EIS requirements, it is noted that large scale photovoltaic solar arrays are not listed in Schedule 5 of the Planning and Development Regulations nor does the proposed development meet the requirements of subthreshold EIA outlined in Section 103 of the Regulations.
- 4.4.8. In conclusion the planning report recommends that further information be sought in relation to the following issues:
- Further details in relation to glint and glare assessments.
 - Further details in relation to screening and planting in order to screen the proposed development.
 - Further details in relation to surface water run-off onto the public road.
 - Further details in relation to sightlines, including the incorporation of requisite sightlines of 90 metres in a north-west direction. Clarification is also sought for the proposed use of two existing entrances onto the subject site.
 - Further details in relation to waste management proposals.
 - Further details for the justification of a 10-year planning permission under the current application.
- 4.4.9. The request for additional information was made on 21st March, 2017.

4.5. Response to Additional Information Request

- A revised glint and glare assessment was submitted. The assessment concluded that out of the 27 residential receptors within 500 metres of the study area, solar reflections were only theoretically possible at 22 and the worst case predicted impact would affect 13 receptors. The impact was deemed to be minimal.

- Furthermore, the ecological and landscape mitigation plan has been revised along the southern and eastern boundaries to provide additional screening in order to reduce the potential impact from glint and glare. Details of timeframes for the proposed landscape maturity are set out in. Details and justification in relation to removing existing tree lines are set out in the additional information response. It is stated that certain tree lines must be felled in order to avoid excessive shading of solar panels.
- Details of revised landscapings are also submitted (see Appendix E of submission).
- Further details in relation to surface water drainage arrangements in terms of potential run-off onto the public road are also submitted. It is stated that the site's natural topography together with a number of mitigation measures including maintaining drainage ditches etc., will ensure that there will be no surface water run-off onto the adjoining public road to the south.
- In terms of sightlines it is stated that engineers on behalf of the applicant have re-examined the sightlines at the proposed entrance and it is contended that sightlines of 90 metres at the application can be achieved and are considered satisfactory.
- With regard to the two existing entrances on the subject site, it is stated that the proposed development will be served by one new entrance only and other entrance would be blocked up by proposed planting.
- It is stated that a 10-year planning permission is sought for the proposed development in order to ensure that grid connections can be obtained. Efficiencies in manufacturing processes may reduce the cost in the long term and the need to assure long term security for electricity suppliers when purchasing power and this scheme has yet to be formalised by government.

4.6. Further Planning Authority Assessment

- A report from the Environment Section notes the additional information submitted in relation to waste management and the Environment Section are

satisfied that if all recommendations and plans are adhered to, there is no objection to the proposal.

- A further report submitted to the Planning Department states that an appropriate bond of €20,000 should be conditioned on this development with regard to the public road (It is not altogether clear from the email provided as to what department of Roscommon County Council requires this condition).
- The Road Section Planning report states that the Road Section is satisfied that the required sightlines can be achieved at the entrance proposed. However, the applicant does not address the Roads drainage issue. The Roads Section has no objection to the proposal in principle subject to five standard conditions.
- A subsequent planner's report notes the additional information submitted and generally considers the information to be acceptable and therefore, subject to appropriate conditions, it is considered that the proposed development is in accordance with the proper planning and sustainable development of the area.
- In its decision dated 2nd June, 2017 Roscommon County Council issued notification to grant planning permission for the proposed development subject to 24 conditions.

5.0 Planning History

There appears to be no planning history associated with the appeal site.

6.0 Grounds of Appeal

- The decision of Roscommon County Council to issue notification to grant planning permission was appealed on behalf of numerous residents living in the townland of Creevyquinn. The grounds of appeal are outlined below.
- The grounds of appeal set out the planning policy context in the Roscommon Development Plan as it relates to the site. It is not that the site is located in an

area designated as 'high landscape value'. It is noted that there are few relevant policy statements specifically related to solar photovoltaic farms in the development plan. It notes however that the County Development Plan is generally supportive of renewable energy developments. However, this is subject to compliance with other requirements in the County Development Plan. It is noted that there is little or no adopted guidance either at county or national level regarding developments of this kind, although some guidance is available for the UK.

- It is noted that the Planning and Environmental Report submitted with the application has a section on pertinent planning history. Reference is made to five planning applications where permission was granted for solar developments. However, the applicant gives no reference to any refusal for similar such developments. Reference is made to three instances where An Bord Pleanála refused permission for solar farms (PL10.246875, PL27.247217 and PL27.247714). It is argued that the latter two refusals are particularly relevant to the current case before the Board.
- The grounds of appeal argue that the proposed development would have a very significant and unacceptable visual impact. It is argued that the proposal has the effect of converting a rural pasture environment into an industrial one. It is estimated that there are 51 rows of panels and each of the panels are in the order of 170 metres in length. This results in approximately 3 hectares of artificial surface which is a very major addition to the landscape. It is argued that a disused brownfield site (old quarries, disused landfills, gravel pits, cutaway bogs etc.) would be a more preferable location.
- The proliferation of poles for CCTV cameras and a weather station together with fencing will also exacerbate the visual impact. It is suggested that the photomontages submitted greatly underestimate the visual impact arising from the development. While the panels in question are not particularly high, they are very extensive and this in itself will have a profound impact. They will be particularly noticeable from the upper floors of the dwellings to the south which directly face onto the site. Trees are also to be removed from the site which will only increase the site's visibility to the houses opposite. Again reference is made to cutaway bogland where no hedgerows exist and

therefore there is no need to reduce the extent of canopies and trees in the area in order to maximise daylight penetration onto the solar farm. It is also noted that the area is considered to be of 'high landscape value' in the Development Plan.

- Concerns are also expressed in relation to the appropriate assessment undertaken. Reference is made to the DAHG submission which challenges the claim that there is no potential for direct impacts on Natura 2000 sites. It is suggested that the panels themselves could impact on the qualifying bird species in the SPA. It is also critical that surveys conducted in relation to overwintering birds. It is also considered that there is a lack of information on the exact route and construction specifications for the grid connection. There are also specific concerns regarding the possible hydrological impacts on Lough Ree. Overhead cables for the grid connection might also impact on bird movements in the area. The Planning Authority in carrying out an AA screening exercise refer directly on the report prepared by the applicants. The comments made by the Department were not adequately assessed in the Planning Authority reaching its conclusion.
- Concerns are expressed that the very substantial hard surface will have the effect of concentrating rainwater into specific areas and disrupting the natural and even distribution of water to the underlying soil.
- The provision of a proliferation support columns for the CCTV poles and weather mast will also impact on the hydrology and hydrogeological characteristics of the area.
- It is noted that the Board in its refusal under PL27.247714 specifically referred to potential impact arising from the proposed development on a special protection area and an important breeding ground associated with this Special Protection Area (SPA).
- It is noted that the site is located in close proximity to a former landfill (the Old Roscommon Town landfill). The landfill was ordered to close on foot of serious groundwater pollution issues. It is noted that there is a serious dispute between the Council and an adjoining landowner, who alleges that pollutions have caused the death of farm animals, and the source of this pollution may

be the disused landfill. The proposal has the potential to significantly alter surface and groundwater drainage patterns. Given this matter, together with the hydrological connectivity between the site and Lough Ree, it is suggested that there is a need for a full assessment of the impacts of the development on groundwater and surface water.

- In terms of EIA requirement reference is made to the Planning and Development Regulations, 2001 and it is noted that an EIA is required for the following:

'Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more.' (Schedule 5, Part 2, Class 3(a)). It is contended that the proposal falls into the category of development. While it is not known what the heat output of the development is, presumably it is under 300 megawatts in which case it would constitute a subthreshold development. Nevertheless it is argued, the development has a capacity to have significant impacts on the environment should be the subject of EIA.

- There are concerns that the CCTV camera will give rise to serious issues in respect of privacy. It is also considered that the CCTV masts are highly visible above hedgerow heights.
- Concerns are expressed that the dwellings in the vicinity of the site will be adversely impacted upon through glint and glare.
- Finally, the grounds of appeal make reference to a number of procedural matters namely that:
 - - the plans submitted with the application contain a number of layout drawings that are unnumbered and are set out to unusual or eccentric scales.
 - It is argued that the proposal is not adequately described as there is no precise proposal for grid connection. The solar panels are described in a general way with flexibility of what exactly will be constructed.
 - There are no details in relation to the foundations nor are there any adequate ground investigation which would indicate that the foundations are suitable.

- Concerns are expressed that the proposal could give rise to issues of noise and electromagnetic radiation. This could be particularly relevant in a quite rural area where ambient noise levels are very low.
- In relation to conditions it is suggested that any requirement for detailed design plan showing the final position and layout of panels and electrical equipment etc., is not appropriate and is not reassuring to residents. In the absence of such information the proposal could have a significant impact on the residential amenity of the area. Reference is also made to the UK BRE Guideline and it is suggested that the proposed development does not adhere to various standards in relation to the installation of access tracks and security fencing. Other UK Guidelines suggest that careful consideration should be given to the development of solar panels so that vegetation does not have to be felled as a result of shading.
- Finally, it is stated that no flood risk assessment was conducted.

7.0 Appeal Responses

7.1 Applicant's Response to the Grounds of Appeal

- It is acknowledged that there is a lack of specific national guidance for commercial solar farms in Ireland. It is suggested that the principle of solar photovoltaic farms is supported in the context of the wider established policy relating to the promotion and development of renewable energy.
- Reference is made to the Planning Inspector's report (PL14.246850) where the inspector has regard to both national and regional policy provisions together with national policies and guidelines in relation to low carbon energy usage. The inspector also notes that there is no statutory requirement to refuse development where no national guidance exists. Similar conclusions are reached in respect ABP Ref. 06D.246966.
- In relation to visual impact, reference is made to the comprehensive assessment that is contained in the local authority planner's report and the conclusion that both the photomontages submitted presents an accurate picture of what could be expected from a visual perspective and also the

conclusion that the proposed development would be acceptable from a visual amenity point of view. Furthermore, an ecological and landscape mitigation plan was submitted and it provided additional mitigation measures to further reduce effects of the development. This includes the planting of mature vegetation and the establishment of a raised bank to minimise any visual impacts. While the proposed development will result in some minor losses of trees and hedgerows, this loss of vegetation will be compensated by providing replacement planting. Much of the vegetation to be removed is also considered to be of poor quality. The design layout has ensured that the development elements have been largely fitted around the existing field hedgerow boundaries. It is considered that the development will have a localised moderate to moderate/minor adverse impact on the landscape character of the area.

- With regard to appropriate assessment/ecological issues, reference is made to the Ecological Impact Assessment and Appropriate Assessment screening set out in Section 5 of the Planning and Environmental Report submitted with the application. It is noted that Lough Ree SPA is located 5.1 kilometres from the application site. It concludes that any potential negative impact would be of minor significance.
- A wintering bird survey was undertaken throughout the application site on 20th October, 2016. This survey recorded all bird activity at the application site but was specifically focussed on wintering waterbirds including qualifying interests associated with Lough Ree SPA. It indicated that the site is of limited suitability for water birds.
- With regard to information on the grid connection, it is stated that planning permission has not been sought for the proposed grid connection and this will be subject of a separate application. Notwithstanding this point, it is stated that indicative grid routes are assessed and have been included in the Appropriate Assessment Screening Report.
- With regard to hydrological impacts, reference is made to the outline Construction Environmental Management Plan in Appendix E of the Planning

and Environmental Report and the principle objective of this plan is to avoid minimising control and adverse environmental impacts.

- Contrary to what is stated in the planning appeal, ground conditions have been extensively investigated by way of the hydrology, geology and flood risk assessment and the Outline Construction Environmental Management Plan, the Ecological Impact Assessment, and the Appropriate Assessment Screening Report. They all indicate that potential impacts will be insignificant. As a result, it is not anticipated that the proposed development will disturb the groundwater regime or any pollution associated with the old Roscommon Town landfill. The hydrological assessment indicates that all drainage from the application site flows to the west towards the Creevyquinn Stream. The Old Roscommon Town landfill is located to the north of the application site.
- With regard to the requirement for EIA, reference is made to conclusions drawn by An Bord Pleanála under previous application where it is considered that the proposed solar farm development is not included in the project description for which an EIA or EIAR is necessary. As a solar farm development is not a development set out in Schedule 5, it is not considered that the subject development is a subthreshold development for the purposes of EIA. Notwithstanding the above, the applicant has submitted a Planning and Environmental Report which addresses potential environmental impacts which could arise from the proposed development.
- With regard to CCTV cameras, it is stated that cameras will be directed into the development and so will not impinge on the privacy of local properties.
- With regard to glint and glare issues, Appendix H of the Planning and Environmental Report specifically relates to the glint and glare assessment. It concludes that even in the case of first floor windows, the potential impact on surrounding receptors is low; based on the criteria set out in the methodology. The effects of glint and glare and its impact on local receptors has been analysed and detailed and, though it is anticipated that there will be some impacts on local dwellings, these are likely to be extremely limited and therefore of low insignificance. One of the residents most likely to be affected by glint and glare has provided a letter of support for the development.

- With regard to other issues, it is stated that the planning application provided drawings which are in line with the requirements of the Regulations and are of an appropriate scale for development of this type.
- It is also stated that the proposal is correctly described in the public notices and sufficient details of the solar panel foundations are set out. Geotechnical surveys will be carried out as part of the proposed development and detailed design will inform the location of all infrastructure associated with the site.
- The response also suggests that the fencing proposals are acceptable and appropriate and are indicated on the master site layout.
- Contrary to what is stated in the grounds of appeal a flood risk assessment was carried out as per Section 9 of the planning and environmental report.

7.2. Planning Authority's Response to the Grounds of Appeal

It appears that the Planning Authority have not submitted a response to the grounds of appeal.

8.0 Planning Policy Context

8.1. Ireland's Transition to a Low Carbon Energy Future 2015-2030 – White Paper on Energy Policy (Department of Communications, Energy and Natural Resources) December 2015

Paragraph 137 states that solar photovoltaic (PV) technology is rapidly becoming cost competitive for electricity generation, not only compared with other renewables but also compared with conventional forms of generation. 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. Solar energy also brings a number of benefits like relatively quick construction and a range of deployment options including solar thermal for heat and solar PV for electricity. It can be deployed in roof mounted or ground mounted installations. In this way, it can empower Irish citizens and communities to take control of the production and consumption of energy. Solar technology is one of the technologies being

considered in the context of the new support scheme for renewable electricity generation which will be available in 2016.

8.2. National Spatial Strategy

Section 2.6 of the National Spatial Strategy states that national and international evidence demonstrates that rural areas have a vital contribution to make to the achievement of balanced regional development. This involved utilising and developing the economic resources of rural areas, particularly in agriculture and food, marine, tourism, forestry, renewable energy, enterprise and local services while at the same time capitalising on and drawing strength from vibrant neighbouring urban areas.

8.3. Regional Planning Guidelines for the West Region 2010-2022

Section 5.5 relates to energy and utilities. The general thrust of the guidelines seeks to encourage renewable energy generation as energy generation from renewable energy resources is a key element in the strategy to reduce carbon emissions and to maintain a sustainable urban energy supply. The government has increased the target of meeting at least 40% of electricity demand for renewable generation by 2020.

8.4. Roscommon County Development Plan 2014-2020

- 8.4.1. Section 4.6.4 relates to solar energy. It states in recent years the use of solar energy in Ireland in addition to a ground source heating system has provided sustainable sources of energy for buildings and has reduced demand for electricity supply from the national grid. The Council will encourage such initiatives subject to normal planning considerations.
- 8.4.2. In terms of landscape values 36 landscape character areas have been identified and have been categorised into one of the following four classes: 'exceptional high value', 'very high value', 'high value' and 'moderate value'. The Roscommon Town hinterland (LCA 32) has been classified as 'high value' for its cultural heritage significance.
- 8.4.3. In terms of policy on energy, Policy 4.53 seeks to encourage the development of renewable energy sources such as wind, biomass and solar energy as well as

energy conservation measures such as energy efficient building design and servicing.

9.0 Planning Assessment

I have read the entire contents of the file, visited the site in question and I consider the pertinent issues in determining the current application and appeal before the Board are as follows:

- Prematurity of Development
- Visual Impact
- Glint and Glare
- EIA Requirement
- Ground and Drainage Issues
- Other Issues
- Appropriate Assessment

9.1. Prematurity of Development

9.1.1. The grounds of appeal argue that the proposed development is premature as there is no guidance documents or national planning policy in respect of solar energy. The grounds of appeal also note that Ireland has to rely on British planning guidance for solar farms. In support of the argument reference is made to PL26.247217 where planning permission was refused on the grounds that there was a *“lack of guidance at national, regional and local level in relation to the appropriate location, scale and distribution of future proposals for solar power”*.

9.1.2. I acknowledge that there is no specific and guidance for solar power either nationally or locally in respect of solar power developments. Notwithstanding this point solar power represents renewable energy and there are numerous policy statements national, regionally and locally which promote and encourage renewable energy (see previous section on Policy above). Section 3.4 of the County Development Plan recognises the role of renewable energy projects in rural areas. It can be reasonably argued in my view that the current proposal, as a renewable energy project should be viewed positively in the context of the wider national renewable energy strategy

which seeks to reduce reliance on fossil fuels and create a more sustainable renewable energy base in the county.

- 9.1.3. Furthermore, I would not consider it appropriate to refuse planning permission solely on the grounds that there is no guidance or detailed policy statements in respect of solar energy. While such guidance would be of assistance, I consider that every application should be considered on its merits where no guidance exists. I note that other inspectors reports came to a similar conclusion in respect of lack of policy (for example see PL14.246850)
- 9.1.4. With regard to the reference to the reason for refusal in respect of PL26.247214, the Board will note that this application related to a very large scale solar farm in County Wexford which involved an area of c.90 hectares. This is over 6 times the size of the current application before the Board. Having consulted the Board's reason for refusal it appears that the Board refused planning permission for the proposed development primarily due to its size and scale and the fact that no national guidance policy exists to assist in determining the appropriateness of development on a size and scale of that proposed. It is noted that An Bord Pleanála have granted planning permission for numerous solar farm developments of a smaller scale and these are referred to in Section 3 of the Planning and Environmental Report submitted with the application. I therefore consider that there is precedent for granting more modest size solar farms where it is considered that such developments are in accordance with the proper planning and sustainable development of the area.
- 9.1.5. In conclusion I do not recommend that the Board issue a refusal for the proposed development on the grounds of prematurity pending the adoption of national guidelines. I further consider that the principle of solar energy as a renewable source of energy is acceptable and is in accordance with wider sustainable policies in relation to energy.

9.2. **Visual Impact**

- 9.2.1. The grounds of appeal argue that the proposed development will have an unacceptable impact on the visual amenity of the area as it represents an industrial type development within a rural area and as such constitutes an incompatible land use with surrounding uses.

- 9.2.2. I have inspected the site and its surroundings and the Board will note from the photographs attached that the subject site and the lands surrounding it are relatively flat. The topography of the lands therefore in my view are very conducive to accommodate a solar farm. Information submitted with the application indicates that the maximum height of the solar panels will range from 1.7 to 2.8 metres. This is considerably smaller than a single-storey house and represents an average typical floor to ceiling height in a ground floor building. A ground level solar farm of this nature is relatively easy to screen through planting. The site and its surroundings already have the benefit of mature trees and hedgerows and the site will not be readily visible from public roads in the area. People travelling along the road network in the area, particularly on the access road serving the site, will be afforded only occasional glimpses of the solar panels through gaps in the hedgerows and canopies. Furthermore, I consider that the orderly rows of solar panels as set out in the application form do not represent a significantly incongruous or ugly addition to the landscape. In many respects the solar farm is akin to a large greenhouse associated with market gardening and as such I do not consider that a solar farm constitutes a significant eyesore such as might be perceived in the case of a quarry development or a large industrial development.
- 9.2.3. The pictures submitted with the grounds of appeal suggest that the site is more visible from the public road than is actually the case. Photographs taken during my site inspection clearly indicate that the subject site is well screened particularly along its southern boundary adjacent to the local access road.
- 9.2.4. There will be little doubt that the development will be visible from the first floor of the houses to the immediate south. It should be noted however that only two of the houses that directly face onto the southern boundary of the site are two-storey in nature and the appellant in its response to the grounds of appeal indicates that the occupier of one of these houses has no objection to the proposed development and in fact is generally supportive of the proposal. Any impact on views from the first floor level of the house must be balanced against the need to develop sustainable renewable energy infrastructure.
- 9.2.5. I acknowledge that the presence of CCTV cameras and a weather mast could exacerbate the visual impact. However, these are thin isolated structures that are less than 5 metres in height. They will not in my view be dissimilar to the telegraph

poles that currently traverse the site. I therefore do not consider that they will have a significant or material impact in visual terms.

- 9.2.6. The grounds of appeal highlight the fact that the lands surrounding Roscommon Town are classified as “high landscape value”. The development plan categorises the landscape character areas into one of four classes namely “exceptional value”, “very high value”, “high value” and “moderate value”. The development plan states under Objective 7.37 that it is the Planning Authority’s aim to seek to minimise the visual impact of proposals on the above areas. I consider having regard to the height of the structures involved and the existing and proposed screening proposed as part of the development, that the visual impact in this instance will be minimised and as such the proposal accords with Objective 7.37 of the development plan.

9.3. **Glint and Glare**

The Planning Authority requested additional information in relation to this issue. On foot of this request an updated glint and glare assessment was submitted on behalf of the applicant. It assessed the potential impact arising from glint and glare on every receptor (residential dwelling) within a 500 metre radius of the subject site. The modelling undertaken indicated that the impact on residential receptors was limited to between four and seven minutes per day, between the hours of 18.39 to 18.59 on residents living to the east of the site; and between the hours of 06.06 and 06.44 for the residents living to the west of the development. This impact in my view is minimal and would not constitute reasonable grounds for refusing the application.

9.4. **EIAR Requirement**

The grounds of appeal argue that an EIA should have been submitted in accordance with Schedule 5, Part 2, Class 3(a) which relates to “*industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more*”. I do not consider that the proposed development constitutes an industrial installation. The applicant screened the development for EIA and concluded that an EIA (or now referred to as EIAR) was not necessary as the development does not fall within Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations. A similar conclusion was reached in respect of a number of other applications for solar energy development that have

come before the Board. Having consulted the Regulations, I would agree that the proposal before the Board does not fall within any of the categories for development for which EIAR would be required. I would concur with the conclusions reached in respect of similar type applications, namely that an EIAR is not required. By extension, if the Board agree that the proposed development is a development which does not fall within the remit of EIAR, there is no case for requesting an EIAR on the basis of subthreshold development.

9.5. Ground and Drainage Issues

- 9.5.1. Concerns are expressed that the proposal will alter and disturb the ground conditions and drainage patterns in the area. This is a particular concern to the appellants having regard to the fact that the site is located in close proximity to the former Roscommon Town landfill. This landfill appears to be an old historic landfill which was not lined in order to contain leachate. The grounds of appeal state that as a result much of the groundwater beneath the landfill is contaminated and polluted.
- 9.5.2. The Planning and Environmental Report submitted with the application included a drainage impact assessment. It reasonably concluded in my opinion that the proposed development will have little impact on drainage. The excavation works associated with mounting the solar panels will be minor and will not require significant foundation works or ground disturbance works. In fact there is little evidence to suggest that the installation on the solar panel tables will penetrate the watertable. There was no information on file nor are there any comprehensive arguments put forward to suggest that the proposal will in any way further exacerbate or accentuate potential contamination or groundwater pollution problems associated with the former Roscommon Town landfill. I am satisfied that having regard to the minor nature of the works to be undertaken in constructing the solar panels that the construction works will have a negligible impact on the hydrological or hydrogeological regime and it is reasonable to conclude that the impact on groundwater would be insignificant.

9.6. Other Issues

- 9.6.1. Concerns are expressed that the CCTV cameras will impact on adjoining privacy. The applicant has indicated in the documentation submitted that all CCTV cameras will be pointed inwards towards the site and will not be directed on any adjoining

lands. This requirement is reflected in Condition 10 attached to the planning authority's decision which states "*CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards nearby residential property*".

- 9.6.2. The grounds of appeal also argue that the scale of the drawings submitted with the application are eccentric and do not comply with conventional scales. The Planning and Development Regulations are not so prescriptive as to set out exact scales for various types of drawings. Article 23(1)(a) indicate that site or layout plans should be drawn on a scale not less than 1:500. The drawings submitted comply with this requirement. Furthermore, the masterplan layout indicates dimensions and distances between the solar farm and dwellings in the vicinity. I therefore consider that the drawings submitted are acceptable and sufficient to allow an appropriate evaluation of the proposal. If the Board consider otherwise, it can always request further drawings to be submitted at an appropriate scale/scales prior to determining the application.
- 9.6.3. Concerns are expressed that a proper flood risk assessment was not submitted with the application. Section 9.4 of the planning and environmental report specifically carried out a Phase 1 flood risk identification and concludes that no further stages of a flood risk assessment are required. Further details of the flood risk assessment carried out are also contained in Appendix K of the environmental report. Furthermore, the national flood hazard mapping does not identify any flood events within close proximity to the proposed application site. Based on the analysis undertaken by the applicant and the nature of the proposed use, I consider this conclusion to be reasonable.
- 9.6.4. The grounds of appeal also argue that the proposed development is not adequately described in the public notices primarily because there are no details in relation to the grid connection. Both the applicant and the Planning Authority have indicated that any grid connection will be the subject of a separate application which will be assessed on its merits and in accordance with the proper planning and sustainable development of the area. As the subject application is not subject to EIA or, no issues arise in respect of the tests set out under the O'Grianna versus An Bord Pleanála judgement i.e. [HC 632]. Two alternative grid connections were evaluated as part of the Appropriate Assessment Screening exercise (see section below).

9.6.5. Concern is expressed in relation to noise and magnetic radiation which could arise from the proposed solar development. Solar farms do not give rise to any significant noise generation. While some noise may be generated from the combined inverter and transformer station this noise will be low level and I consider that there are sufficient separation distances between the location of the substation and nearest sensitive receptors to ensure that no audible or material changes result in the noise environment. Any construction noise will be temporary in nature and would not in my view give rise to justifiable reasons for refusal.

9.6.6. There is no evidence to suggest that the proposed development will have any adverse impact in terms of electromagnetic interference as suggested in the grounds of appeal.

9.7. **Appropriate Assessment**

9.7.1. The appropriate assessment screening exercise undertaken by the applicants as part of the application for planning permission is criticised in the grounds of appeal. The concerns expressed in the grounds of appeal are primarily predicated on the comments made by the Department of Arts, Heritage and Gaeltacht by the Planning Authority. The grounds of appeal also suggest that there is a direct hydrological connection from the site to Lough Ree.

9.7.2. The appropriate assessment screening report was submitted as Appendix D of the Planning and Environmental report. The information contained therein should be read in conjunction with the information contained in Appendix C which relates to an Ecological Impact Assessment. The screening report sets out the description and features of the proposed project and then identifies the Natura 2000 sites within the zone of influence (15 km). A total of 12 sites were identified. The only Natura 2000 sites that I consider to be potentially affected are the Lough Ree SAC and Lough Ree SPA both of which are located approximately 1.6 kilometres and 5.4 kilometres from the subject site. The qualifying interests are set out in the screening report and the report goes on to evaluate the potential for significant effects on the qualifying interests. It concludes that there is no potential for the proposed development to impact on any Natura 2000 site. The application site does not occur within or adjacent to any Natura 2000 sites. It is stated that there is no ecological or hydrological connection between the application site and Natura 2000 sites in the

vicinity. The report also notes that while no grid connection has been proposed at the current application, two indicative grid connection routes are being considered with the application for completeness. It likewise concludes that there is no potential for either indicative grid connection routes to impact on Natura 2000 sites in the area.

- 9.7.3. Notwithstanding the conclusions set out in the Screening Report submitted with the application, it is considered appropriate for the purposes of undertaking a robust assessment to carry out an independent AA screening exercise, particularly in light of the concerns raised in the submission from the Department of Arts, Heritage and the Gaeltacht and the issues raised in the grounds of appeal.
- 9.7.4. While there are 12 Natura 2000 sites within a 15 kilometre radius of the subject site, I would agree with the AA screening report that only two Natura 2000 sites could be potentially impacted upon by the proposed development due to the relative close proximity. These are Lough Ree SAC and Lough Ree SPA.
- 9.7.5. At its closest point **Lough Ree SAC** (Site Code; 00440) is approximately 1.5 kilometres from the subject site. The qualifying interests associated with the SAC
- *Natural eutrophic lakes.*
 - *Semi-natural dry grasslands and scrublands.*
 - *Faeces on calcareous substrates.*
 - *Degraded raised bogs still capable of natural regeneration.*
 - *Alkali fens.*
 - *Limestone pavements.*
 - *Old sessile oak woodlands with illex and blechnum in the British Isles.*
 - *Bog woodland.*
 - *Otter.*
- 9.7.6. Both the grounds of appeal and the submission by the Department suggest that there is specific concern regarding potential hydrological impacts on Lough Ree. As already alluded to in my assessment, the nature of the works to be carried out do not involve significant excavation works in erecting or mounting the solar panels. The information contained in the Planning and Environmental Report (see Section 4.5.1)

states that the mounting frames will be either screw piled or directly driven into the ground at a depth of up to 1.5 metres and as such do not require any excavation works. The post and piles are designed to avoid the use of concrete foundations. The methodology involved in the construction therefore should not result in any significant excavation which could give rise to siltation in adjoining watercourses. There are no watercourses within or adjoining the application site which directly connect the subject site with the SAC or SPA in question. As such, and despite the concerns raised by the Department, there is no potential for works carried out on the subject site which form part of the current application, to impact on the water quality of the Lough Ree SPA. Furthermore, the separation distances involve ensure that any works carried out on the subject site will not adversely impact on any of the habitats associated with the SAC.

9.7.7. With regard to the grid connection I would reiterate that these works will be the subject of a separate application and therefore will be the subject of a separate appropriate assessment. Nevertheless, for the purposes of completeness I note that the indicative grid connection route options will involve the trenching of cables which could lead to surface water run-off. Both route options traverse the Creevyquinn Stream which links up with the Hind River and in turn discharges into Lough Ree. The screening report suggests that the magnitude of any water quality impacts generated by the trenching of cables is negligible and it is not considered that it would give rise to the potential for significant impacts. I consider such a conclusion to be reasonable specifically where best practice is employed in carrying out the works in question to ensure that any potential discharge into the Creevyquinn Stream is minimised. Any works that would be undertaken as part of the grid connection are estimated to be between 13 and 15 kilometres upstream of the discharge point into Lough Ree. The assimilative capacity of the waters along the route to the SAC would ensure that any impact would be negligible in terms of adversely impacting on water quality. I can only conclude on the basis of my own objective assessment that there is little scope for either the development or any potential grid connection associated with the development, to have a significant effect on the qualifying interests associated with the Lough Ree SAC.

9.7.8. With regard to the **Lough Ree SPA** (004064) this Natura 2000 site is located even further from the subject site - approximately 5.4 kilometres to the east. There are a

total of 13 bird species associated with this SAC, 11 of which have populations which are described as “national important”. Both the grounds of appeal and the submission from the Department of Arts, Heritage and the Gaeltacht suggest that the impacts on the panels themselves on qualifying bird species have not been assessed and the submission is also critical of surveys conducted in respect of overwintering birds.

9.7.9. I refer the Board to Section 3.3.3.1 of the Ecological Impact Assessment submitted as Appendix C. It notes that birds of conservation interest have been recorded within the 2 kilometre grid squares on either side of the site. These species include sparrow, starling and swallow. Furthermore, a breeding bird survey was undertaken on the 6th July, 2016 and a wintering bird survey was undertaken on 20th October, 2016. It is noted that potential for the occurrence of breeding and wintering birds at the site was further informed by consultation with distributional references from other surveys undertaken. Details of breeding bird survey results are set out in Table 6 and Table 7. It is noted that the bird species recorded in both Table 6 and 7 do not contain any of the species associated with the Lough Ree SPA. I consider that the surveys undertaken are sufficiently robust and comprehensive to assess whether or not the proposed development could have a significant effect on the bird populations associated with the SPA over 5 kilometres away. As none of the birds listed as qualifying interests of the SPA were recorded on the application site during the surveys undertaken, it is reasonable in my view to conclude that the site is not particularly important or of significance as a breeding ground or feeding ground associated with the SPA. On this basis it is reasonable to conclude in my view that the proposed development is not likely to have a significant effect on the bird species associated with the Lough Ree SPA.

9.7.10. The grounds of appeal also make reference to the fact that the Board refused planning permission for a similar type development in County Wicklow under Reg. Ref. PL27.247714 on the grounds that the proposed development was located in close proximity to the Poulaphuca Reservoir Special Protection Area and that the lands on which the subject site is located are an important core feeding ground for the Greylag Geese which form part of a qualifying interest associated with the SPA. It appears in this instance that the subject site is not an important core feeding ground for any of the species associated with the Lough Ree SPA. Furthermore, at

its closest point the boundary of application PL27 247714 was located less than 200 metres from the boundary of the SPA. The separation distance in the case of the current application is over 25 times greater than that under Reg. Ref. PL27.247714 (in excess of 5 km).

- 9.7.11. In terms of in combination effects, I do not consider that any significant in combination effects arise in this instance. I note that there are no similar type developments in the vicinity which could have a cumulative impact and I further note that both the Screening Report submitted with the application and my appropriate assessment screening also gave consideration to the grid connection routes in assessing potential impacts on Natura 2000 sites in the vicinity. Consequently, there is no potential for a significant impact caused by cumulative impacts of either the proposed development or the indicative grid connection routes.
- 9.7.12. In terms of indirect effects, I have noted above in my assessment that the subject site does not appear to be an important breeding ground or feeding ground associated with any of the species which form part of the qualifying interests associated with the Lough Ree SPA. Surveys undertaken in respect of wintering and other birds indicate that none of the species listed under the Lough Ree SPA appear to use the site in question. Therefore, I can only conclude on the basis of the information submitted, that the proposed development will not have any indirect effects on the bird populations associated with the Lough Ree SPA.
- 9.7.13. It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Lough Ree SAC (Site Code: 000440) or Lough Ree SPA (Site Code: 004064) or any other European site, in view of the site's conservation objectives, and a Stage 2 Appropriate Assessment (and the submission of an NIS) is not therefore required.

10.0 Conclusions and Recommendation

Arising from my assessment above therefore, I recommend that the Board uphold the decision of the Planning Authority and grant planning permission for the proposed solar farm at Creevyquinn in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

11.0 Decision

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

12.0 Reasons and Considerations

It is considered that, subject to compliance with conditions set out below, the proposed construction of a solar farm would not seriously injure the visual amenities of the area, the residential amenities of the area or the ecology of the area nor would it be prejudicial to public health by reason of exacerbating groundwater or surface water contamination. It is also considered that the proposed development would generally be acceptable in terms of traffic safety and convenience and would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 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 9th 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 the 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. No works shall commence without the submission for approval of the planning authority of the final details of the solar panels to be erected on site.

Reason: In the interest of clarity.

3. The life of the planning permission shall be 10 years from the date of this order.

Reason: It is considered appropriate that the Board extend the life of the planning permission beyond five years having regard to the nature of the proposed development.

4. Existing field boundaries including trees and hedgerows shall be maintained and supplemented in accordance with the requirements of the planning authority. All proposed landscaping shall take place in the first planting season following the commencement of development and in accordance with the ecological and landscape mitigation plans submitted to the planning authority on the 9th day of May, 2017. The landscaping and screening shall be maintained at regular intervals. Any trees or hedgerows that are removed, die or become seriously damaged or diseased within five years from the planting shall be replaced within the next planting season by trees or hedging of a similar size or species unless otherwise agreed with

the planning authority.

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

5. (a) All structures including foundations hereby authorised shall be removed not later than 25 years from the date of this order and the site shall be reinstated unless planning permission has been granted for the further retention for a further period prior to that date.
- (b) Prior to the commencement of development, a detailed restoration plan, providing for the removal of foundations and access roads to a specific timescale shall be submitted to the planning authority for written agreement. On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than 1 year, the solar arrays, including the foundations shall be dismantled or removed from the site. The site (including all access roads) shall be restored in accordance with the said plan and all decommission structures shall be removed within three months of the decommissioning.

Reason: To enable the planning authority to review the operation of the solar farm having regard to the circumstances then prevailing and in the interest of orderly development.

6. No external artificial lighting shall be installed or operated on site unless otherwise authorised by a prior grant of planning permission.

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

7. All CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards nearby adjoining lands or residential property.

Reason: In the interest of maintaining privacy.

8. The solar panels shall be fixed in place by way of driven pile or screw pile foundations only, unless otherwise authorised by a grant of planning permission.

Reason: In the interest of the long term viability of this agricultural land and in order to minimise impacts on drainage patterns.

9. Prior to the commencement of development, the developer shall submit for the agreement of the planning authority, details of a SUDS drainage management system, including ponds and swales if necessary, to ensure that storm water run-off does not exceed that for normal grassed agricultural lands.

Reason: To prevent flooding.

10. The construction of the development shall be managed in accordance with a construction management plan, which will be submitted to, and agreed in writing with the planning authority prior to the commencement of development. This plan shall provide details of the intended construction practice for development, including noise management measures and off-site disposal of soil waste.

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

11. Site development and building works shall be carried out only between the hours of 0800 hours to 1900 hours Mondays to Fridays inclusive and between 0800 hours to 1400 hours Saturdays and not at all on Sundays or Public Holidays. Deviations from these times will be only be permitted 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.

12. Cables from the solar arrays on site shall be located underground.

Reason: In the interest of visual amenity.

13. 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.

14. 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 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 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 planning authority with any application for permission consequent on this grant of outline permission. Details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to the commencement of construction work, shall be determined at permission consequent stage.

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.

15. Prior to the 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.

Reason: To ensure the satisfactory reinstatement of the site subsequent to operation.

16. The container inverters and other plant and equipment on site shall be dark green in colour. Details of the material finishes associated with the external walls of the proposed substation shall be agreed in writing with the planning authority prior to the commencement of development.

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

17. Details of all fencing including the height of the fences shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

18. Prior to the commencement of operations on site a traffic management plan for the construction phase of the proposed development shall be agreed in writing with the planning authority. Such a plan shall consider minimising disruption to the public road and shall provide specific details on public safety, haul routes and any damage or reparation to the public road.

Reason: In the interest of orderly development and traffic safety.

19. The developer shall pay to the planning authority a financial contribution of €26,796 (twenty six thousand seven hundred and ninety-six euro) 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. The contribution shall be paid prior to the 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 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.

20. 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 provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. 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 of the development.

Paul Caprani,
Senior Planning Inspector.

26th October, 2017.