



An
Bord
Pleanála

Inspector's Report ABP-302990-18

Development	Construct a battery storage compound adjacent to the existing substation,
Location	Muingnaminnane Tralee Co Kerry
Planning Authority	Kerry County Council.
Planning Authority Reg. Ref.	18/374
Applicant(s)	Knocknagoum Windfarm Ltd
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Lyreacrompane Heritage Group
Observer(s)	None
Date of Site Inspection	1 st March 2019

1.0 Site Location and Description

- 1.1. The application site, (stated area 0.5843 ha) is located in a remote rural location c. 10 Km east of Tralee, c. 4 Km north-west of Castleisland and c. 4.7 Km east of Ballynacelligott Post Office, north of the N21 in Muingnaminnane, Tralee, County Kerry.
- 1.2. The battery storage compound would be located adjacent to the existing substation adjacent to an existing forest. The site is accessed via a controlled, short gravel access track, which leads to a forestry track, off local road L-2015.
- 1.3. The site is opposite and to the north of the North Kerry Landfill site (currently closed). It slopes gently towards the north-west, away from the public road. The surrounding area is elevated, forested, rural, remote and sparsely populated.

2.0 Proposed Development

2.1. Planning Permission sought to:

- Construct a battery storage compound adjacent to the existing substation with up to 10 no. container units, (24sq.m x 10 = 240 sq. m) (in steel container buildings)
- Palisade fencing,
- Site access track and entrance,
- Bunded concrete plinths.
- Associated electrical equipment,
- Transformers,
- Control building and
- All associated site works.

2.1.1. The proposed development involves the construction of an extension to the existing 38KV electricity substation. The length of the proposed development footprint is 134m and its maximum width is 44m.

2.1.2. Initially, the site would be levelled off with an excavator. Small scale excavations would be required for the control building (GFA of 178.5 sq. m) and to facilitate the laying of cables. Part of the proposed development would be on existing hardcore

areas which would be resurfaced. New hardcore would be laid on the remaining footprint area. The proposed battery units would be held inside container units (12.2m x 2.44m) elevated on precast concrete plinths. Container units would be spaced 5 m apart. Each container would have roof mounted HVAC units and galvanised steel steps for access.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Following a request for Further Information (which was deemed significant) with respect to:

(1) Natura Impact Assessment (NIS)

(2) Noise Impact Assessment.

(3) Details of Management of surface water runoff

(4) Applicant to address compliance with Condition 5 of Reg. Ref. 10/908 for the substation. Refers to landscaping and tree retention.

3.1.2. Planning permission was granted subject to fifteen number conditions. Conditions of note are summarised as follows:

Condition 2 requires €12,461.50 in accordance with Section 48 Development Contribution Scheme

Condition 3 & Condition 4 relates to noise and noise monitoring

Condition 5 relates to public health and pollution prevention

Condition 6. Bunds shall be installed around all temporary oil containment facilities

Condition 7. Confirmation by an indemnified person that the proposed oil interceptors are of a type and size to cater for the runoff from the proposed development.

Condition 8. Oil interceptors shall be installed as per manufacturers guidelines.

Condition 9. The burning or burial of waste is prohibited at the site.

Condition 10. Waste Management and Disposal Plan to be subject to agreement with the p.a.

Condition 11. All hazardous waste / material generated at the site shall be taken directly to a suitably authorised waste facility.

Condition 12. External Lighting

Condition 13. The exterior of the steel battery container structures and all palisade fencing shall be finished in durable (e.g. epoxy) finishes with a matt olive green colour.

Condition 14. Proposed control building shall be in accordance with the design drawing received on 23/04/2018

Condition 15. During the construction phase of the development, all Construction Best Practice Measures set out in the NIS received on the 07/08/2018 shall be implemented in full.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- **Planning Report:** The planning report supports the draft decision to grant planning permission. It is considered having regard to the existing pattern of development in the area, to the planning history of the site and subject to compliance with conditions that the proposed development would not be visually obtrusive or out of character with the existing pattern of development in the vicinity, would not seriously injure the amenities of properties in the vicinity or be otherwise contrary to the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports:

- **Environment Department:** Initially further information requested with respect to noise and surface water run-off, subsequent report indicates no objection subject to conditions.
- **Fire Officer:** No Objection.
- **County Archaeologist:** No Objection.
- **Bio-Diversity Officer:** Initially further information requested with respect to requirement for an NIS, subsequent report indicates if the mitigation measures

are undertaken, maintained and monitored as detailed in the NIS, adverse impacts on the integrity of a European site will be avoided.

3.2.3. Prescribed Bodies:

- None

3.3. Third Party Observations

Two number objections were received concerns raised are similar in nature to those raised in the third-party appeal on file, summarised below.

4.0 Planning History

Reg. Ref. 10/908 Permission granted to construct 38kv and combined 38/110 kv substation compounds, including control buildings (3 no.) electrical equipment including transformers, cable supports, circuit breakers etc., and associated concrete plinths and bunds, domestic waste water treatment plant and treated effluent holding tank (underground), compound fencing and associated site development works including the upgrade of an existing forestry access roadway and permission for the installation of underground cables extending from windfarm in the townland of Cahercullenagh Upper as far as this substation.

Reg. Ref. 17/1295 Permission granted to construct an extension to the existing 38kv electricity substation. the proposed works include the construction of new palisade fencing, 2 no. battery storage units, ancillary electrical plant and all associated site works.

5.0 Policy Context

5.1. Development Plan

The site is governed by the policies and provisions contained in the Kerry County Development Plan 2015-2021. The site is located in an area zoned 'Rural General' which is detailed in section 3.3.2.1 of the Plan. 'These areas constitute the least

sensitive landscapes through the county and from a visual impact point of view have the ability to absorb a moderate amount of development without significantly altering their character.'

The following sections of the Development Plan are of relevance:

Section 4.8.1 Agriculture

Section 10.2 Environmental Designations. It states: 'Biodiversity protection is afforded by International, European and National legislation, most particularly the EU Habitats and Birds Directives, the Planning and Development (Amendment) Act, 2010, the EU (Natural Habitats) Regulations 2011 and the Irish Wildlife Acts (1976 and 2000).'

Section 10.2.2 European Designations (Natura 2000 network)

Section 10.2.3 National Designations

Objective NE-11, Objective NE-12 and Objective NE-13

Chapter 12 Zoning and Landscape Protection

Section 12.4 Deals with Views and prospects

Objective ZL-1 Protect the landscape of the County as a major economic asset and an invaluable amenity which contributes to people's lives.

Chapter 13 Sets out the Development Management considerations

5.2. Natural Heritage Designations

The site is located approximate to the following sites:

- Candidate Special Area of Conservation (cSAC): Lower River Shannon (1Km)
- cSAC: Ballyseedy Wood SAC (8 Km distant)
- cSAC: Slieve Mish Mountains SAC (11 Km distant)
- CSAC: Tralee Bay and Magharees Peninsula, West to Cloghane (12 Km distant)
- Special Protection Areas (SPA): Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (within)
- SPA: Tralee Bay Complex (12Km)

5.3. Environmental Impact Assessment (EIA)

- 5.3.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment and proximity to the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

5.4. Grounds of Appeal

Third Party Appeal Summarised as Follows:

Concern raised with respect to pollution and health and safety

- Installation of a bank of lithium batteries at the substation, new and untested technology.
- Many instances of fires and explosions associated with ignitable electrolyte liquid internationally. Designed to hold large amounts of energy and the fire and explosion risk associated with them is high.
- Overheating can result in a process called ‘thermal runaway’ – a reaction within the battery causing internal temperature and pressure to rise at a quicker rate than can be dissipated.
- Such batteries contain an ignitable electrolyte liquid.
- The development risk and safety management is still in its very early stages.
- A high-profile case involving lithium batteries and fires is linked with the case of a Boeing 787 Dreamliner, four such aircraft suffered from electrical systems problems stemming from its lithium-ion batteries.
- Query whether the Kerry Fire Services is equipped to deal with a situation where toxic substance could be released.
- This application for 10 battery containers follows one from the same company less than five months ago seeking planning permission for 2 containers. Piecemeal development.

- The Stacks and Glanaruddery Mountains have become overshadowed by wind turbines in recent years.
- Noise Pollution from the turbines as they get older is a cause of concern, especially to Hen Harrier hearing their prey.
- Damage to unique carbon sink of Blanket Bog
- This application adds to the impacts of the Wind turbines on the community and is unfair.

5.5. Planning Authority Response

A response was received from the planning authority it is summarised as follows:

- The planning application was assessed by the Fire Authority which has no objection to the proposed development.
- While the proposed battery storage compound may be functionally related to the windfarm in the Stacks and Glanruddery Mountains the battery storage compound at Muingnaminnane would not add in any way to impacts created in the mountains by the existing wind farms.

5.6. First Party Response

None Received.

6.0 Assessment

6.1. I consider the key issues in determining this appeal are as follows:

- **Principle of Development / Policy Considerations**
- **Noise**
- **Fire / Health and Safety**
- **Appropriate Assessment (AA)**

6.2. Principle of Development / Policy Considerations

- 6.2.1. Renewable energy projects are supported 'in principle' at national, regional and local policy levels, with the impetus at all policy levels being the need to reduce greenhouse gas emissions, reduce reliance on fossil fuels and combat climate change.
- 6.2.2. EU Directive 2009/28/EC sets a target of 20% of EU energy consumption from renewable sources and a 20% cut in greenhouse gas emissions by 2020. As part of this Directive, Ireland's legally binding target is 16% energy consumption from renewable sources by 2020. The more ambitious national objective, as expressed in the NREAP, is for 40% of electricity consumption to be from renewable sources by 2020. The White Paper entitled 'Ireland's Transition to a low carbon Energy Future 2015-2030' sets out a vision to reduce greenhouse gas emissions by between 80% and 95% compared to 1990 levels by 2050.
- 6.2.3. Chapter 12 of the Kerry County Development Plan 2015-2021 deals specifically with Zoning and Landscape. Policy relating to areas zoned 'Rural General' in Section 12.3.1 Rural (c) states that "*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*". Policy ZL-1 states that "*it is policy to protect the landscape of the County as a major economic asset and an invaluable amenity which contributes to people's lives*".

- 6.2.4. Objective EP-1, set out in section 7.6.2 'Energy Conservation' in the County Development Plan 2015 – 2021, that it is an objective of Kerry County Council to place *an emphasis on increasing energy supplies derived from renewable resources*. Further Objective EP-3 states that it is an objective of Kerry County council to *facilitate sustainable energy infrastructure provision, so as to provide for the further physical and economic development of the County*. In principle the County Development Plan and the accompanying Renewable Energy Strategy are supportive of the development and implementation of the renewable energy strategy for County Kerry.
- 6.2.5. The appeal site is also located within the boundary of the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. The AA screening report carried out screens in the potential for significant direct impacts in the form of habitat loss and indirect impacts in the form of disturbance and displacement on the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. The AA screening Report also screens in the potential for significant indirect impacts on the Lower River Shannon SAC. The planning authority requested a Natura Impact Statement (NIS) by way of further information. The potential for significant effects on the SPA and SAC are considered further in the AA section of this report below.
- 6.2.6. The first party submit that the proposed development will contribute to Ireland meeting its European and international obligations in respect of delivering a secure, sustainable electricity system. The system services provided by battery storage compounds, such as that of the proposed development, will ensure that the frequency and voltage of the national electrical system can maintain the desired stable levels regardless of the conditions imposed on the grid by various electrical generation providers.
- 6.2.7. I am satisfied that there is substantial policy support at national, regional and local level for renewable energy projects, including battery storage compounds associated with wind farm substations. The proposed development will make a contribution to Ireland's targets for electricity generation from renewable sources and for reductions in greenhouse gas emissions. The proposed site is located adjacent to an existing substation in an area zoned Rural General which is covered by Section 3.3.2.1 of the Kerry County Development Plan 2015 - 2021. These areas constitute the least sensitive landscapes throughout the County and from a visual impact point of view

have the ability to absorb a moderate amount of development without significantly altering their character. I therefore consider the proposed development to be acceptable in principle, subject to consideration of the identified key planning issues outlined in Section 6.1 above.

6.3. Noise

- 6.3.1. A Noise Impact Assessment has been carried out by AWN Consulting (AWN). AWN has predicted noise levels associated with plant items related to proposed battery storage units at locations representative of the nearest noise sensitive locations to the site. It is noted that the nearest noise sensitive location is identified as 1000m distant. The predicted noise levels are in the range of 2 to 13dB $L_{Aeq,T}$. Based upon the assessment the battery storage units are below typical day and night time noise criteria that would be applied to operations of this nature.
- 6.3.2. The appeal site is located in a rural area with a low dispersed population. I do not consider that noise is likely to be a significant issue due to the nature of the development and the remote rural location. I note that concern is raised with respect to association and cumulative impact of the battery storage compound in association with the adjoining wind turbines. Specifically, that noise from ageing wind turbines prevents Hen Harrier's from hearing their prey, this I consider is unproven and I would agree with the opinion of the planning authority that while the proposed battery storage compound may be functionally related to the windfarm in the Stacks and Glanruddery Mountains, that the battery storage compound at Muingnaminnane would not add in any way to impacts created in the mountains by the existing wind farms.
- 6.3.3. Nevertheless, in order to address any residual impact that may arise I recommend that, if the Board is mindful to grant permission, a condition be included requiring that noise monitoring measures are put in place and adhered to. In this regard I note that Condition 3 and Condition 4 of the draft decision to grant planning permission relates to noise and noise monitoring.

6.4. Fire / Health and Safety

- 6.4.1. The matter of fire risk has been raised by the third party. Fire safety and compliance with building regulations is governed separately under the Building Control Regulations, 1997, S.I. No. 496 of 1997. This being said the planning application was assessed by the Fire Authority which has no objection to the proposed development.
- 6.4.2. I am satisfied that battery storage compounds do not pose risks greater than any other renewable energy project and that it is not a planning issue per se.
- 6.4.3. The environment section of Kerry County Council has reviewed the application and recommend a grant of planning permission subject to conditions. I consider that if the mitigation measures are undertaken, maintained and monitored as detailed in the NIS, adverse impacts on the integrity of a European Site will be avoided. The mitigation measures outlined in the NIS that accompanies the application are robust and will ensure that the proposed development would not have a significant adverse ecological impact. Nevertheless, in order to address any residual impact that may arise I recommend that, if the Board is mindful to grant permission, a condition be included requiring that pollution control measures are put in place and adhered to. I also recommend that a condition be attached requiring the agreement of a Construction Management Plan with the Planning Authority,
- 6.4.4. In conclusion, I consider that the proposed development does not pose any health or safety issues for members of the public.

6.5. Appropriate Assessment (AA)

- 6.5.1. Section 10.2.2 of the CDP is pertinent it sets out that while the aim of the Natura 2000 network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. Natura 2000 is not a system of strict nature reserves where all human activities are excluded. The following designated Conservation Objectives are pertinent to the proposed development.
- 'NE-11 Ensure that all projects likely to have a significant effect on a Natura 2000 / European site will be subject to Habitats Directive Assessment prior to approval'.

- 'NE-12 Ensure that no projects which will be reasonably likely to give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives, shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects) unless imperative reasons of over-riding public interest can be established and there are no feasible alternative solutions'.

6.5.2. The proposed development is accompanied by a Natura Impact Statement. A Noise Impact Assessment and an assessment of Management of Surface Water Runoff.

6.5.3. The appeal site is located within the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site No 004161). It is located 1 Km distant from the Lower River Shannon cSAC. cSAC: Ballyseedy Wood SAC (8 Km distant). cSAC: Slieve Mish Mountains SAC (11 Km distant). CSAC: Tralee Bay and Magharees Peninsula, West to Cloghane (12 Km distant) and SPA: Tralee Bay Complex (12Km)

6.5.4. Of the Natura 2000 sites listed above two sites are considered likely to be affected by the proposed development. The Lower River Shannon cSAC and Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. All the other Natura sites are either a considerable distance away or are not hydrologically connected to the development site. The main effects are likely from indirect impacts on fresh water dependent annexed species and habitats in the cSAC due to impacts on water quality at construction stage. The Qualifying Interests of the Lower River Shannon SAC (site code 002165) as set out in the npws.ie website include:

- 1029 Freshwater Pearl Mussel *Margaritifera margaritifera*
- 1095 Sea Lamprey *Petromyzon marinus*
- 1096 Brook Lamprey *Lampetra planeri*
- 1099 River Lamprey *Lampetra fluviatilis*
- 1106 Atlantic Salmon *Salmo salar* (only in fresh water)
- 1110 Sandbanks which are slightly covered by sea water all the time
- 1130 Estuaries
- 1140 Mudflats and sandflats not covered by seawater at low tide
- 1150 *Coastal lagoons

- 1160 Large shallow inlets and bays
- 1170 Reefs
- 1220 Perennial vegetation of stony banks
- 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts
- 1310 Salicornia and other annuals colonizing mud and sand
- 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritima*)
- 1349 Bottlenose Dolphin *Tursiops truncatus*
- 1355 Otter *Lutra lutra*
- 1410 Mediterranean salt meadows (*Juncetalia maritimi*)
- 3260 Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation
- 6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)
- 91E0 *Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

6.5.5. The Conservation Objective of which is to restore the favourable conservation condition of Freshwater Pearl Mussel in the Lower River Shannon SAC, which is defined by a list of attributes and targets set out in National Parks and Wildlife Service Conservation Objectives available at www.npws.ie

6.5.6. Qualify interests / Special Conservation Interests for which Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site No 004161) European Site has been designated is:

- Hen Harrier (*Circus cyaneus*) (A082)

6.5.7. The Conservation Objective of which is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

6.5.8. The main potential for effects on site integrity relates to possible loss of habitat at construction / operational phase and / or disturbance at construction / operational

phase. Detailed mitigation provided in the NIS particularly relating to the control of water quality at construction phase and the timing of works are noted.

- 6.5.9. The Biodiversity Officer of Kerry County Council concludes in her assessment that ‘if the mitigation measures are undertaken, maintained and monitored as detailed in the NIS adverse impacts on the integrity of a European site will be avoided.’
- 6.5.10. I consider that the information submitted in the NIS is sufficient to allow the Board to carry out an AA. I am of the opinion that proposed development would not adversely affect the integrity of the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA or the Lower River Shannon cSAC in view of the sites Conservation Objectives and that no reasonable scientific doubt remains as to the absence of adverse effects on the site. A detailed construction environmental plan shall be put in place which will include prevention of pollution control measures. Should the Board decide to grant planning permission a robust CEMP should be subject to condition of any grant of planning permission.
- 6.5.11. I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site Lower River Shannon cSAC, or any site’s Conservation Objectives.

7.0 Recommendation

- 7.1.1. I recommend that the decision of the planning authority be upheld and planning permission be Granted to the proposed development.

8.0 Reasons and Considerations

- 8.1.1. It is an objective of the planning authority as set out in the Kerry County Development Plan 2015-2021 to 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 (EP-1). Having regard to the scale, extent and layout of the proposed development,

to the “Rural General” designation of the local area and to permitted development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not endanger human health and would not have significant adverse impacts on the environment or amenities of the area. The proposed development would, therefore, be in accordance with the provisions of the current County Development Plan and with the proper planning and sustainable development of the area.

9.0 Conditions

1. The development shall be retained, 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 07.08.2018 and the 07.09.2018 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. In the event of complains being received regarding alleged noise nuisance from the development to which this permission relates and, upon investigation by Kerry County Council, such complaints are found to be justifiable the applicant shall, upon written receipt of notification from the planning authority, retain services of an acoustic specialist to establish the cause of the noise or nuisance and the remediation measures required in order to abate said nuisance. The applicant shall ensure that all such measures are fully implemented and shall be liable for all costs incurred therein.

Reason: In the interest of residential amenity

3. Noise monitoring locations for the purposes of the construction phase of the proposed development shall be agreed in writing with the planning authority prior to commencement of development.

Reason: To protect the amenities of the area.

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.
 - (a) The proposed development shall be undertaken in compliance with all environmental commitments made in the documentation supporting the application.
 - (b) No polluting matters including sediment laden waters shall be discharged directly or indirectly to any waters from the proposed works. Suitable measures shall be put in place onsite in advance of any works to prevent sediment laden waters entering any waters as described in details received on 07/08/2018.
 - (c) Bunds shall be installed around all temporary oil containment facilities and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any drain, sewer or watercourse.

Reason: To protect the environment.

6. Comprehensive details of the proposed lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

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

7. (a) The exterior of the battery storage containers and the palisade fencing shall be finished in a dark green colour.
(b) The proposed control building shall be in accordance with the design drawing received on the 23/04/2018. The roof shall be covered with slates or tiles which shall be either black, dark grey or blue – black. The colour of the ridge tile shall match the colour of the roof.
(c) The external walls of the proposed control building shall be a neutral colour such as light grey or off-white.

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

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006.

Reason: In the interest of sustainable waste management.

9. On full or partial decommissioning of the battery storage compound, the palisade fencing, concrete plinths, battery storage units, equipment, transformers and ancillary works shall be removed permanently within three months of such decommissioning.

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

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 site security fencing and hoardings,

- (b) 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,
- (c) measures to obviate queuing of construction traffic on the adjoining road network,
- (d) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- (e) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (f) 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,
- (g) details of on-site re-fuelling arrangements, including use of drip trays,
- (h) details of how it is proposed to manage excavated soil, and
- (i) 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 9 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.

Fiona Fair

Planning Inspector

08.04.2019