



An  
Bord  
Pleanála

## Inspector's Report ABP-304761-19

### Development

A 5 MW solar farm comprising c. 22,200 photovoltaic panels on ground mounted frames within a site of 11.25 hectares, 2 no. single storey inverter/transformer stations, 1 no. single storey delivery station, security fencing, CCTV, and all associated ancillary development works.

### Location

Demesne, Cloyne, Co. Cork

### Planning Authority

Cork County Council

### Planning Authority Reg. Ref.

19/04869

### Applicant(s)

Amarenco Solar Cloyne Ltd

### Type of Application

Permission

### Planning Authority Decision

Grant, subject to 39 conditions

### Type of Appeal

Third Party -v- Decision

### Appellant(s)

Oliver Sheehan

### Observer(s)

None

**Date of Site Inspection**

15<sup>th</sup> August 2019

**Inspector**

Hugh D. Morrison

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
4.0 Planning History.....	6
5.0 Policy and Context.....	6
5.1. Development Plan.....	6
5.2. Natural Heritage Designations .....	7
5.3. EIA Screening .....	7
6.0 The Appeal .....	7
6.1. Grounds of Appeal .....	7
6.2. Applicant Response .....	8
6.3. Planning Authority Response .....	10
6.4. Observations.....	10
6.5. Further Responses.....	10
7.0 Assessment.....	11
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17
10.0 Conditions .....	18

## 1.0 Site Location and Description

- 1.1. The site is located to the west of Cloyne in a position between the R629, to the north, and the L7682, to the south. This site lies in an area of relatively flat countryside between higher ground further to the north and to the south. This countryside is farmed with both tillage and livestock farming featuring.
- 1.2. The site itself is of regular shape, except along its eastern boundary where it follows a stepped format. This site is composed of two fields, an eastern and a western one. Both fields are dissected by means of a wet ditch that runs from west to east through them and on into the Ardnahinch River further to the east. This ditch means that each field is sub-divided into northern and central/southern divisions.
- 1.3. The site extends over 11.25 hectares and there is little variation in its level over this area. Each of the two fields is enclosed by means of mature hedgerows, which are interspersed with mature deciduous trees. Other fields adjoin these fields to the east and to the west. There are two agricultural access points along the northern boundary to the north western division from the R629, i.e. one towards each of the northern corners to this field. There is also a single agricultural access point along the southern boundary to the south eastern division from the L7682, i.e. beside the south eastern corner.
- 1.4. The latter access is also used by the ESB in accessing the 38 kV Cloyne sub-station, which lies in the south eastern corner of the eastern field. The site excludes this sub-station and a strip of land to the north of it as far as the above cited ditch. Accordingly, the eastern boundary runs to the west of this strip, rather than along the line of the hedgerow, and so it is undefined "on the ground". The local road undergoes a 90 degree turn adjacent to the said access and so it is accompanied on its western side by a row of 3 one-off dwelling houses. Between the site and Cloyne lies the land owner's farm yard on locally elevated ground.

## 2.0 Proposed Development

- 2.1. The proposal would entail the construction of a 5 MW solar farm on the site comprising 22,200 photovoltaic (PV) panels, which would be laid out in rows across the site. The farm would also comprise 2 inverter/transformer stations (87.5 sqm),

which would be sited centrally north and south of the wet ditch, and a delivery station (27.9 sqm), which would be sited in a position adjacent to the existing ESB 38 kV Cloynes sub-station.

- 2.2. The exiting agricultural gateways towards the north western and the south eastern corners of the site would be used to access the site during its operational phase. An on-site road network would be laid out, which would connect these two access points, via the more southerly of the inverter/transformer stations, on a largely diagonal alignment. The more northerly of the inverter/transformer stations would be accessed via a cul-de-sac from the north western gateway. The site surveillance would be afforded by means of 15 CCTV cameras.
- 2.3. The proposal would be enclosed by means of a 2m high timber post and heavy-duty wire mesh fence, which would be sited on a set back alignment from the site's hedgerow boundaries. Tree planting would occur within the western strip that would be formed by the said fence and its corresponding hedgerow and on mounds that would be formed in positions adjacent to the two gateways in the northern boundary.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission granted subject to 39 conditions, including one that requires that a geophysical survey of the site be undertaken prior to the commencement of development.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

See decision.

#### **3.2.2. Other Technical Reports**

- Irish Water: No objection, standard notes.
- IAA: No observations.
- IFI: No in principle objection, commentary provided on areas of interest.

- Cork County Council:
  - Environment (Waste): No objection, subject to conditions.
  - Environment (Air and Noise): No objection, subject to conditions.
  - Environment (Water): No objection, subject to conditions.
  - Engineering: No objection, subject to conditions.
  - Area Engineer: No objection, subject to conditions.

## 4.0 Planning History

Site:

- Pre-application consultation occurred on 18<sup>th</sup> October 2018.

Solar farm permissions in the wider area of the site:

- 4 km to the NW at Tead More, Ballynacorra: 16/6302: Footprint of panels 27,000 sqm, and
- 600m to the ESE: 18/4258: Footprint of panels 40,000 sqm

## 5.0 Policy and Context

### 5.1. Development Plan

Under the East Cork Municipal District Local Area Plan 2017 (LAP), the site is shown as lying to the east of Cloyne and within the County Metropolitan Cork Strategic Planning Area.

The Cork County Development Plan 2014 – 2020 (CDP) addresses solar energy under Paragraphs 9.4.13 – 18. No Policy Objectives pertain specifically to solar energy. The following energy Policy Objective ED 1-1 states “Ensure that through sustainable development County Cork fulfils its optimum role in contributing to the diversity and security of energy supply and to harness the potential of the county to assist in meeting renewable energy targets.”

## 5.2. Natural Heritage Designations

- Ballycotton Bay SPA (site code 004022)
- Ballycotton, Ballynamona and Shanagarry pNHA (site code 000076)

## 5.3. EIA Screening

The applicant comments on whether or not the proposal is a type of development that would potentially be the subject of EIA. It concludes that this proposal would not come within the ambit of any of the types of development set out under Part 1 and 2 of Schedule 5 to Article 93 of the Planning and Development Regulations 2001 – 2018. Accordingly, the possibility of it being sub-threshold for the purposes of EIA does not arise.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- The site is bound by the R629 between Cloyne and Shanagarry, a popular tourist route. The proposal would be a prominent and discordant feature within the medium sensitivity landscape of the site and its context and it could give rise to glint and glare.
- Attention is drawn to Cloyne's archaeological/cultural heritage, e.g. the round tower, a watchtower on raised land known as Belvedere, and a country house known as Cloyne House. Given this context, the failure to consult the County Archaeologist is questioned, as is the use of a condition precedent to require a geophysical survey of the site.
- Attention is drawn to the hydrological connection between the site and Ballycotton Bay SPA and to proposed measures for the construction stage. Given recent legal decisions, e.g. The Coillte case, it is unclear why the Planning Authority was able to screen out the proposal for AA purposes. That the County Ecologist was "unable to comment" is also of interest.

- Attention is drawn to the proposed haul route: The applicant has not demonstrated that this route would be capable of handling the projected 118 HGV trips.
- Would the proposal constitute a “small relocation” for the purposes of a grid connection? The Commission for Regulation of Utilities (CRU) should be consulted in this respect.

## 6.2. Applicant Response

- Visual amenity

Attention is drawn to the submitted Landscape and Visual Impact Assessment (LVIA), which examines the degree of impact that the proposal would have from 15 no. viewpoint locations. This Assessment concluded that the landscape can tolerate a degree of change and the proposal would not adversely affect landscape character or visual amenity.

Specifically, the LVIA considered views from the R629. In this respect, it noted that these views are filtered by an existing tall sod/stone ditch and a mature hedgerow. Supplementary planting would be added, and other measures would be undertaken to reduce still further the visual impact of the proposal.

- Glint and glare

Solar Photo Voltaic (PV) arrays are designed to absorb rather than reflect light and so issues with glint and glare are not significant, e.g. the increasing incidence of them being sited at airports. Additionally, in this case, the arrays would face south and so away from the R629. (Adjacent dwelling houses to the south face west).

The applicant’s contention in the foregoing paragraph has been accepted previously by the Board, cf. PL04.244539 & 247521.

- Archeologically Impact Assessment

Attention is drawn to the submitted Archaeological, Architectural and Cultural Heritage Impact Assessment (AACHIA). Figure 3 in this Assessment maps sites of interests in these respects, all of which lie outside the site. It accepts that the proposal would have a moderate impact upon the tower and designed



landscape of Belvedere. However, this proposal would be temporary, and it would be accompanied by further screen landscaping. Views of it from the said tower would be from private land, too.

As there is no identified archaeology in the site and as the degree of disturbance of the site would be slight, the Planning Authority's approach to the question of archaeology, in not consulting the County Archaeologist, was reasonable. That said the mitigation measures outlined in the AACHIA for the construction phase would be undertaken.

The Planning Authority's conditioning of a geophysical survey is, in the circumstances of the site cited above, wholly appropriate and in line with the National Monuments Service internal guidelines with respect to solar farms and archaeological assessment.

- AA Screening

The applicant undertook a Stage 1 AA Screening Report. The 9.49 km hydrological link identified is intermittent insofar as the drainage ditch does not have a permanent flow of water running through it. With the implementation of standard construction and operational practices, no significant indirect hydrological impacts would arise at the Natura 2000 site in question, i.e. Ballycotton Bay SPA. No change in surface water run-off patterns from the site would result from the proposal.

The Coillte case addressed a situation in which measures were proposed to address harmful effects upon a Natura 2000 site. In the current case, such measures would not arise.

- Traffic and road safety

Traffic would be generated by the proposal during the construction phase. A preliminary Traffic Management Plan has thus been prepared, as part of the Construction Management Plan for the site. This Plan identifies the haul route from Ringaskiddy, which comprises national and regional roads that would be suited to handling the projected 118 HGV trips over a 3-month period.

Access to the site would be via an existing gateway towards the NW corner. The requisite sightlines would be available at this gateway and an auto-track

analysis illustrates its suitability for use by HGVs. A stop/go system would operate on the R629 in conjunction with the use of the gateway.

During the operational phase of the proposal, traffic generation would be minimal, and it would compare favourably with existing traffic generation resulting from the site's agricultural use.

- **CRU**

The CRU is a regulatory body that operates to a code that is independent of the planning system.

The applicant has applied to ESB Networks for a connection to the adjacent ESB sub-station. Such connection would be either underground or overground and it would be exempted development under Classes 26 & 27 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001 – 2019.

### **6.3. Planning Authority Response**

None

### **6.4. Observations**

None

### **6.5. Further Responses**

None

### **6.6. Consultees**

- Department of Culture, Heritage and the Gaeltacht: Strongly recommended that the exact wording of archaeological condition 38 be replicated under any permission.

## 7.0 Assessment

7.1. I have reviewed the proposal in the light of the CDP, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use, heritage, and visual amenity,
- (ii) Traffic and access,
- (iii) Miscellaneous,
- (iv) Ecology,
- (v) Water, and
- (vi) Screening for Stage 1 Appropriate Assessment.

### **(i) Land use, heritage, and visual amenity**

7.2. Although solar farms are often viewed as a means of farm diversification and they are compatible with livestock grazing, for planning purposes they do not come within the definition of agriculture set out in Section 2(1) of the Planning and Development Act, 2000 – 2019. Rather they are renewable energy generating stations, which entail the installation of considerable man-made apparatus on sites with consequential impacts upon the countryside.

7.3. Objective ED 1-1 of the CDP states the following:

*Ensure that through sustainable development County Cork fulfils its optimum role in contributing to the diversity and security of energy supply and to harness the potential of the county to assist in meeting renewable energy targets.*

7.4. Under Policy Objectives 23 and 55 of the National Planning Framework (NPF), energy is cited as an activity in connection with the development of the rural economy and renewable energy generation at appropriate locations within the built and natural environment is to be promoted.

7.5. The CDP addresses solar energy under Paragraphs 9.4.13 – 18. This Plan was adopted in 2014 and it comments largely upon roof top applications for the harnessing of solar energy. However, Paragraph 9.4.17 does acknowledge the existence of larger scale generating schemes elsewhere and with technological

advances the possibility of their occurrence here. In these circumstances, “careful consideration will need to be given to their scale, location and other impacts.”

- 7.6. Under the CDP, the site is shown as lying within countryside to the east of Cloynes. While the topography of this countryside rises to the north and some way away to the south of the site, the site itself and surrounding fields are relatively level, with the exception of locally elevated land to the west upon which is sited the land owner’s farm yard. The R629 and the L7682 pass to the north and to the south of the site. Mature hedgerows interspersed with mature deciduous trees line these roads. Under the proposal, this vegetation would be retained and so its screening properties would continue to pertain.
- 7.7. The applicant has submitted An Archaeological, Architectural and Cultural Heritage Impact Assessment of Lands at the site, which lies in the Townland of Demesne. This Assessment concludes that there are no identified items/features of interest in the site itself. However, in the wider area, mainly concentrated in Cloynes, there are 18 RMPs, 1 ACA, 6 protected structures and 22 entries in the NIAH.
- 7.8. One of the RMPs is the Bishop’s Tower, which lies on rising land to the north of the site. The aforementioned Assessment accepts that the impact of the proposal upon this Tower and its surrounding designed landscape would be moderate, although given the temporary nature of the solar farm, it would be reversible.
- 7.9. The appellant draws attention to the said impact and the applicant has responded further by stating that the Tower, which lies within lands under the land owner’s control, is not publicly accessible.
- 7.10. The appellant also draws attention to Cloynes House, which is known as the Bishop’s Palace and Country House, too, and he expresses concern over the relationship that would arise between this House and the proposal.
- 7.11. During my site visit, I observed that Cloynes House lies to the west of the land owner’s farm yard, which is sited on locally elevated ground. This farm yard comprises several sizeable modern farm buildings. Also, to the east of this House, its grounds are heavily wooded, and the more distant western boundary of the site is denoted by means of a mature hedgerow with trees, which would be augmented under the proposal by means of further tree planting on the site itself. I am thus satisfied that there would be no views of the proposal from it.

- 7.12. The appellant expresses concern that the County Archaeologist was not consulted. In this respect, I note that at the appeal stage the DoCHG was consulted and strongly endorsed the archaeological condition attached to the Planning Authority's draft permission.
- 7.13. The applicant has submitted a Landscape and Visual Impact Analysis of the proposal, which tracks its impact from 11 selected viewing points within the locality of the site and a further 9 more distant viewing points. Of the former, imperceptible or slight impacts are recorded for 9 of the viewing points, with the western approach along the L7682, The Commons, recording a slight to moderate impact and the Bishop's Tower recording a moderate impact. Of the latter, imperceptible or slight impacts are recorded for 8 of the viewing points, with the north eastern corner of the ACA and on the inside of a 2.4 – 3m high demesne stone wall recording a slight to moderate impact, albeit at a publicly inaccessible point.
- 7.14. The aforementioned Analysis thus confirms the view expressed by the earlier heritage assessment that the main impact would be upon the Bishop's Tower.
- 7.15. The appellant expresses concern that glint and glare would arise from the proposal. The appellant has responded by stating that the solar photo voltaic arrays are designed to absorb rather than reflect light and so issues with glint and glare would not be significant factors. These arrays would face south and so away from the Bishop's Tower and they would not directly face the nearest dwelling houses to the south, which face west and which would be separated from the site proper by the retention of an existing mature hedgerow along the southern boundary.
- 7.16. I, therefore, conclude that the proposal would be an appropriate use on the subject site, which lies in a rural area to the west of Cloynes. Likewise, its presence would be compatible with known heritage items/features in the surrounding area and its landscape and visual impacts would be capable of being absorbed. In the case of the Bishop's Tower, there would be a moderate impact, albeit one that would be mitigated by the fact that it is not publicly accessible, the proposed arrays would face away from this RMP, and the proposal would be reversible.

**(ii) Traffic and access**

- 7.17. The appellant has drawn attention to the proposed HGV haul route, which would be used during the construction phase of the proposal. He comments that the applicant

has not demonstrated that this route would be capable of accommodating the estimated 118 HGV trips that would be generated.

- 7.18. The applicant has responded by drawing attention to the Traffic Management Plan (TMP), which is contained within the submitted Construction Management Plan (CMP) for the proposal. Figure 5 of this TMP shows the proposed haul route from Cork Port at Ringaskiddy to the site. This route is 40.3 km in length and it is composed of national and regional roads, i.e. 32.5 km of the former and 7.8 km of the latter. The construction period would be over a 72-day period, i.e. 12 six-day working weeks. Thus, an average of 1.6 HGV trips per day would occur, although in practise a greater number of trips would occur during the first three and the final three-week periods (cf. Tables 1 and 2 of the TMP). The applicant states that this level of HGV traffic would not have a significant impact upon traffic on the haul route.
- 7.19. The applicant also draws attention to the estimated employment levels during the construction phase, which would range between 15 and c. 42. Light vehicle traffic would thereby be generated, i.e. cars, with the possibility of car-pooling, and mini-buses, too. Provision for the on-site car parking of these vehicles would be made.
- 7.20. During the operational phase of the proposal, traffic generation would be limited to periodic maintenance visits and so vehicle movements to and from the site would be small in number.
- 7.21. The applicant has submitted a plan entitled "Site entrance, autotrack, and sightlines" (drawing no. 5398 0010 B) and commented upon the same in the TMP. During the construction phase, the existing north western entrance to the site from the R629 (80 kmph) would be used. This entrance would be widened on its western side by means of the removal of a 4m length of hedgerow. HGV access from (RHT movements) and egress to (LHT movements) the west along the haul route would thereby be facilitated. On the basis of hedgerow trimming on either side of the widened entrance, the requisite sightlines of 3m x 160m would be available.
- 7.22. The TMP also outlines various traffic management and road safety measures that the applicant proposes for the construction phase.
- 7.23. I conclude that the proposed haul route would be capable of accommodating the envisaged HGV traffic generated by the construction phase of the proposal. I also

conclude that the proposed widening of the north western entrance to the site would ensure its full and satisfactory utility.

### **(iii) Miscellaneous**

- 7.24. The appellant asks the question as to whether the proposal would constitute a “small relocation” for the purposes of a grid connection. He suggests that the Commission for Regulation of Utilities (CRU) should be consulted in this respect.
- 7.25. The applicant has responded that the CRU is a regulatory body, which operates to a code that is independent of the planning system. It also expresses confidence that any grid connection that would be needed between the proposal and the adjacent 38 kV Cloyne sub-station would be exempted development.

### **(iv) Ecology**

- 7.26. The applicant has submitted an Ecological Impact Assessment (EclA) of the proposal. This Assessment observes that the ecological value of the fields comprised in the site is of lower local importance, while the ecological value of the boundary hedgerows/treelines and the west/east drainage ditch is of higher local importance. Under the proposal, the former would be the subject of development, while the latter would be either retained as they are or augmented by further tree planting (cf. planting schedule on the site layout plan (drawing no. L201 C)).
- 7.27. The EclA sets out the impacts that would be likely to arise from the proposal, along with mitigation measures for flora and fauna. It concludes that any residual ecological impacts would be either neutral or slightly positive.
- 7.28. I conclude that, in the light of the submitted EclA, the proposal would be compatible with ecology.

### **(v) Water**

- 7.29. During the operational phase of the proposal, the site would be unmanned and so there would be no need for any sanitary facilities. During the construction phase, temporary mobile sanitary facilities would be made available.
- 7.30. With respect to stormwater drainage, the applicant has submitted a plan entitled “Drainage Strategy Plan” (drawing no. 5398 0020 C), which depicts the existing stormwater drainage patterns of the site along with proposals for the same under the envisaged development. This Strategy outlines how the design and layout of the

proposed arrays for the proposed solar farm and the materials comprised in the accompanying service tracks would be such that before and after surface water run-off rates would be comparable.

- 7.31. The aforementioned plan also highlights the easternmost portion of the west/east drainage ditch as being the subject of a fluvial flood risk, which was identified in a former, as distinct from the current, LAP. (The OPW's flood information website does not identify any flood risk on the site). As a precaution, no development would be undertaken within the area thus highlighted.
- 7.32. I conclude that the drainage arrangements for the site would be satisfactory.

#### **(vi) Screening for Stage 1 Appropriate Assessment**

- 7.33. The site is neither in nor near to a Natura 2000 site. There would, however, be a hydrological link between the west/east drainage ditch and such a site further to the east (c. 9.49 km), i.e. Ballycotton Bay SPA (site code 004022), via the Ardnahinch River. There is thus a source/pathway/receptor route between the site and this Natura 2000 site and so the applicant has undertaken a Stage 1 Screening Exercise for AA, upon which I will draw in my own screening exercise set out below.
- 7.34. The features of interest in the aforementioned SPA comprise the following species of birds: Teal, Ringed Plover, Golden Plover, Grey Plover, Lapwing, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Turnstone, Common Gull, Lesser Black-backed Gull and Wetland and Waterbirds. The Conservation Objective for this SPA is to maintain the favourable conservation condition of each of these species and their wetland habitat in Ballycotton Bay.
- 7.35. As noted above, the site does not lie within Ballycotton Bay SPA. The applicant has nevertheless addressed the question as to whether the habitat of the application site is one that the said bird species would use for foraging or nesting. It advises that this is not the case. It also advises that there is no evidence that birds would mistake the proposed solar farm for a lake, due to its relatively small size and the high incidence of water surfaces in the wider area of the site.
- 7.36. I note the above cited hydrological link. I note, too, the applicant's following commentary on this link and the construction phase of the proposal. (During the operational phase, the surface water discharging to the west/east drainage ditch would be comparable to that which occurs at present).



*Standard environmental protection will be implemented as part of the project to ensure the appropriate management and control of surface water run-off potentially arising from construction related activities at site. While such protection will be specific to the proposed works, site, on-site drainage ditch and associated Ardnahinch River; it will also serve to minimise potential run-off impacts into the wider area including the SPA, even if not primarily designed to address any particular risks to the SPA as such. Therefore, no measures are specifically required to address risks to the SPA in this case.*

- 7.37. The applicant has also drawn attention to an extant permission for Ballyduff Solar Farm (application 18/4258) for a site c. 600m to the ESE of the current application site. This proposal was the subject of a Stage 1 Screening Exercise, which concluded that no significant impacts on Natura 2000 sites would arise from it. Thus, this extant permission would not in conjunction with the current proposal lead to any cumulative impacts.
- 7.38. Additionally, extant permission exists for a solar farm (application 16/6302) 4 km to the NW of the site at Ballynacorra. This proposal, too, was the subject of a Stage 1 Screening Exercise, which concluded that no significant impacts on Natura 2000 sites would arise from it. Thus, this extant permission would not in conjunction with the current proposal lead to any cumulative impacts.
- 7.39. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposal, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004022, or any other European Site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## **8.0 Recommendation**

- 8.1. That permission be granted.

## **9.0 Reasons and Considerations**

Having regard to the Cork County Development Plan 2014 – 2020 and the East Cork Municipal Local Area Plan 2017, it is considered that, subject to conditions, the proposal would further the commitment of Objective ED 1-1 of the Development Plan

to promote renewable energy. The proposal would be an appropriate use for the site, which lies in the countryside to the east of Cloynes, and it would be compatible with known heritage in the surrounding area and, subject to additional landscape screening, the visual amenities of this area. Traffic generated by the proposal would be capable of being accommodated on the road network and proposed access arrangements would be satisfactory. The proposal would have either a neutral or slightly positive impact on the ecological interest of the site. Surface water would be capable of being handled satisfactorily at the construction and operational phases. No Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>This permission shall be for a period of 25 years from the date of commissioning of the solar farm.</p> <p><b>Reason:</b> To enable the planning authority to review its operation in the light of the circumstances then prevailing.</p>
3.	<p>On full or partial decommissioning of the solar farm or if the solar farm ceases operation for a period of more than one year, the solar panels and their supporting structures and all ancillary equipment and structures shall be removed, and all decommissioned items shall be removed within three months of decommissioning.</p> <p><b>Reason:</b> To ensure satisfactory reinstatement of the site upon cessation of</p>

	the project.
4.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To ensure satisfactory reinstatement of the site.</p>
5.	<p>Prior to the commencement of development, a detailed construction traffic management plan shall be submitted to and agreed in writing with the Planning Authority.</p> <p><b>Reason:</b> In the interest of good traffic management.</p>
6.	<p>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:</p> <ul style="list-style-type: none"> <li>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</li> <li>(b) Location of areas for construction site offices and staff facilities;</li> <li>(c) Details of site security fencing and hoardings;</li> <li>(d) Details of on-site car parking facilities for site workers during the course of construction;</li> <li>(e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</li> <li>(f) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</li> </ul>

	<p>(g) 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;</p> <p>(h) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(i) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water courses or ditches.</p> <p>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.</p> <p><b>Reason:</b> In the interest of amenities, public health and safety.</p>
7.	<p>The planting shown on the submitted drawing no. L201 C shall be carried out within the first planting season following substantial completion of construction works.</p> <p>All planting shall be adequately protected from damage until established.</p> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
8.	<p>Prior to any other development, the proposed site entrance shall be widened, and sightlines shall be established as shown on the submitted drawing no. 5398 0010 B. Thereafter, the sightlines shall be retained free of vegetation or structures that exceed 1m in height.</p> <p><b>Reason:</b> In the interest of road safety.</p>
9.	<p>The applicant shall engage the services of a suitably qualified archaeologist to carry out a geophysical survey across the site followed by a programme of targeted archaeological testing (licensed under the National Monuments Act 1930 – 2004) in advance of the development. The result of the</p>

geophysical survey shall be submitted for written approval to the Planning Authority with a testing strategy, prior to submitting a licence application for archaeological testing to the National Monument Service of the Department of Culture, Heritage, and the Gaeltacht.

The testing shall (a) target the results of the geophysical survey, and (b) test across the greenfield site where subsurface excavation works are required (such as access/maintenance tracks, linear cable trenches, site storage areas, and sub-station areas).

No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent.

Where clear archaeological material is shown to be present in the geophysical survey and/or testing, preservation in situ, buffer zones or other mitigation measures will be required, and the Planning Authority and National Monuments Service will advise the applicant with regard to these matters.

Having completed the work, the archaeologist shall submit a report to the Planning Authority and the National Monument Service. All new archaeological sites shall be reported to the Archaeological Survey of Ireland. No site preparation or development work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the Planning Authority.

**Reason:** To preserve items of archaeological interest.

---

Hugh D. Morrison  
Planning Inspector

8<sup>th</sup> October 2019