



An  
Bord  
Pleanála

## Inspector's Report ABP-308846-20

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<b>Development</b>	Grid connection for solar farm
<b>Location</b>	Ardglass, Fiddane, Cooliney, Rathnacally, Farranshonikeen, Ardnageehy and Clashganniv, County Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	19/6817
<b>Applicant(s)</b>	Charleville Solar Farm Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Charleville Solar Farm Residents Group
<b>Date of Site Inspection</b>	15 <sup>th</sup> June, 2021
<b>Inspector</b>	Kevin Moore

## **1.0 Site Location and Description**

1.1. The proposed grid connection cable would be laid underground through the rural townlands of Ardglass, Fiddane, Cooliney, Rathnacally, Farranshonikeen, Ardnageehy and Clashganniv in County Cork. The site for the proposed solar farm which the cable would serve lies some 2km to the north-west of the village of Ballyhea and approximately 5km south-west of the town of Charleville. The route forms part of the public local road network between the solar farm site and an ESB substation. The road corridor proposed to be used serves one-off housing, farms and farmlands, and a Dawn Meats plant close to its eastern end and south of the approach to the substation. The route would traverse two streams which feed into the River Blackwater. The bridges over the streams consist of Cooliney Bridge, a single arch masonry structure a short distance to the east of the solar farm site, and a bridge of more modern construction at the eastern end of the route close to the northerly approach to the ESB substation site.

## **2.0 Proposed Development**

2.1. The proposed development would comprise the installation of 4,387 metres of electricity cable underground between a proposed solar farm at Fiddane, Ballyhea, Charleville and Charleville 110kV substation at Clashganniv, Ballyhea in County Cork. The cable would consist of 150AAAC 38kV line and would connect to a dedicated 38kV cubicle in Charleville substation. A 38kV ESN compound would be developed at the solar facility. The grid connection would be provided under public roads, following Local Road L1322 as far as Dawn Meats in Charleville and from there northwards along a minor road to the existing substation site. The cables would be inserted into the verge along the local road and the route would pass over two bridges which are over streams that feed into the River Blackwater. At the bridges there would be a 100mm deep strip of concrete between 700mm and 800mm wide on one side of the two bridges in areas that are currently grass verges. The applicant has submitted that the ESB would be solely responsible for the grid route works.

2.2. Details submitted with the application included a Construction Environment Management Plan, an Archaeology, Architecture and Cultural Heritage Report, and a Natura Impact Statement.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On 11<sup>th</sup> November 2020, Cork County Council decided to grant permission for the proposed development subject to 37 conditions.

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

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

The Planner noted the planning history, development policy provisions, reports received, and third party submissions. It was recommended that further information be sought in accordance with the recommendations from the other reports received.

The Senior Executive Planner concurred with the Planner's recommendation.

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

The Environment Section report on waste had no objection to a grant of permission subject to three conditions.

The Archaeologist considered the applicant's Archaeological, Architectural and Cultural Heritage Report did not satisfactorily address the grid connection cable route. It was submitted that there was potential for subsurface archaeology that could be impacted during excavation of trenches. It was recommended that an archaeological impact assessment be sought by way of further information.

The Environment Section report on air and noise had no objection to a grant of permission subject to two conditions.

The Area Engineer noted the likely impacts of the proposed development on roads. It was recommended that further information be sought relating to sightlines at the entrance, an agreement from ESB on connection to the substation and provision of a new cubicle, confirmation from ESB that the proposed trench depth is suitable, that ESB will be responsible for the works and will be undertaking the works for the applicant, the provision of a road condition survey, and correspondence from Irish Water on the location of watermains. Reference was also made to routing of the

cable, public consultation, the need for a road opening licence, and to the need for traffic management.

The Ecologist requested an ecological impact assessment report, a revised NIS to address the proposed development, and a revised CEMP relating to the site of the proposed development.

### **3.3. Prescribed Bodies**

Irish Water had no objection to the proposal.

The Irish Aviation Authority stated it had no observations on the application.

### **3.4. Third Party Observations**

Objections to the proposal were received from Tom and Laura Pittman, Cyril and Mary Hooper, Anne Murphy, Pat Hooper, Tom Crowley, and Charleville Solar Farm Residents Group. The objections related to inconvenience to road users, impact on the condition of the public road, impact on the integrity of Cooliney Bridge, business disruption, and lack of consultation with the public.

3.5. A request for further information was sought on 27<sup>th</sup> January, 2020. A response to the request was received on 17<sup>th</sup> April, 2020. This included an ecological impact assessment report, a revised NIS, a revised CEMP, a traffic management plan for the solar farm, and ESB specifications for installation of duct and ancillary structures for underground power cables.

3.6. It is noted that a further Environment Section report dated 29<sup>th</sup> January, 2020 referred to awaiting the submission of the specific NIS and CEMP for the proposed development.

3.7. Arising from the further information submission, the following reports were received:

The Archaeologist set out a condition if permission is granted.

Three reports from the Environment Section had no objection to the proposal.

The Ecologist recommended that the applicant be requested to provide measures to prevent the risk of introducing Crayfish Plague to watercourses.

The Area Engineer considered the further information acceptable and recommended a grant of permission subject to a schedule of conditions.

The Planner noted the quashing of the Board's decision under ABP-301028-18 by the High Court and the withdrawal of planning application P.A. 19/6965. It was considered that to grant a cable route would be premature and it was submitted that the applicant should clarify the planning and legal status of ABP-301028-18. A report from the Mid West NDO was also acknowledged wherein it was considered that the solar farm is premature as the site falls within the study area for the M20 Cork to Limerick Road Improvement Scheme. It was recommended that clarification is sought on the status of the solar farm and on measures to prevent Crayfish Plague and that the applicant be advised of the Mid West NDO submission.

3.8. A request for clarification was issued on 20<sup>th</sup> July, 2020 and a response to this request was received on 18<sup>th</sup> September, 2020. It was noted that the Board was dealing with the solar farm proposal under ABP-306915-20.

3.9. The following reports were submitted:

Two Environment Section reports had no objection to the proposal.

The N/M20 Project Office had no observations to make on the information submitted. It was noted that in the intervening period since its previous report that the planning process for the N/M20 project had progressed and it was stated that there were no observations to make in relation to the applications relating to the solar farm and the grid connection in respect of the Road Improvement Scheme.

The Ecologist had no objection subject to the attachment of a condition.

The Planner recommended a grant of permission subject to a schedule of conditions.

The Senior Executive Planner concurred with the Planner's recommendation.

## 4.0 **Planning History**

ABP-301028-18 (P.A. Ref. 17/05799)

Permission was granted by the Board for the development of a 67.8 hectare solar PV Farm at Fiddane, Ballyhea, County Cork. This permission was quashed as a result of a challenge to the High Court.

P.A. Ref. D/258/19

Following a section 4 request to Cork County Council, the planning authority issued a declaration determining that a proposed underground grid route constituted development that was not exempted development as an appropriate assessment was required for the proposed works.

ABP-306915-20

Following the quashing of the decision under ABP-301028-19, the application was reverted to the Board. The Board granted permission for the solar farm in February 2021.

## 5.0 Policy Context

### 5.1. Cork County Development Plan 2014

Energy

Objectives include:

*ED 1-1: Energy*

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.

It is stated that the Plan aims to support the sustainable development of renewable energy sources (Section 9.2.3).

The Plan also states that the Council will support and facilitate the development of solar energy, encourage passive solar design and solar water heating in new buildings and in retrofitting buildings (Section 9.4.18).

## 5.2. EIA Screening

The classes of development which require EIA are defined in Article 93 and Schedule 5 of the Planning and Development Regulations. The proposed development does not fall within the classes of development which require EIA.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The third party objects to the proposed development on the following grounds:

- Insufficient Natura Impact Statement,
- Under-estimation of the impact on local flora and fauna, especially the crayfish, due to a considerable portion of the cable laying process being on the banks of a tributary of the Awbeg River; and
- The developer has not demonstrated that the development will not have an impact on the adjacent Special Area of Conservation.

### 6.2. Applicant Response

The applicant's response to the appeal may be summarised as follows:

- The assessment undertaken addressed all ecological concerns regarding the proposed cable installation.
- The NIS followed the generally accepted methodology.
- Ecological surveys were carried out at the appropriate times of the year. The botany surveys were suitable for a general habitat survey. Zoology surveys were carried out on a number of occasions.
- The EclA identifies and characterises the impacts and their effects.
- The NIS identifies potential negative impacts and best practice guidelines to avoid adverse effects and outlines mitigation measures. It concludes the development is likely to have no significant effect on Natura 2000 sites and

states it will not, beyond reasonable scientific doubt, adversely affect the integrity of any European site.

- The works and mitigation measures are in the CEMP.

The response attached copies of the NIS, the Ecological Impact Assessment and the CEMP submitted to the planning authority.

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

I have no record of any response to the appeal from the planning authority.

## 7.0 **Assessment**

### 7.1. **Introduction**

- 7.1.1. I note that the third party appeal effectively relates to appropriate assessment, with the applicant's NIS considered to be insufficient, concern about the impact on crayfish (a species of conservation interest), and a view that the proposed development having no impact on the nearest SAC has not been demonstrated. I acknowledge that the appellants have provided no support information relating to the issues the subject of the appeal. My considerations on appropriate assessment will address these main issues. I will also briefly refer to local flora and fauna impacts.
- 7.1.2. Prior to this, I wish to note from the outset the extent of international, EU, national, regional, and local policies in support of the pursuit of renewable energy. These include the Renewable Energy Directive, the National Renewable Energy Action Plan, the National Planning Framework, and the Regional Spatial and Economic Strategy for the Southern Region, as well as Cork County Development Plan.



## 7.2. **Appropriate Assessment - Screening**

### 7.2.1. *Background*

The applicant submitted an Appropriate Assessment Screening Report as part of a submission of further information to the planning authority. This Stage 1 AA Screening Report was prepared in line with current best practice guidance and provided a description of the proposed development and identified European Sites within a possible zone of influence of the development. The applicant's AA Screening Report concluded that it was considered that the proposed development would give rise to the potential for significant adverse effects on the qualifying interests and conservation objectives of the Blackwater River (Cork/Waterford) SAC in the absence of mitigation. A Natura Impact Statement was also submitted as part of the further information. This concluded that, with the incorporation of proposed mitigation measures into the proposed development design and their subsequent implementation on site, this will ensure that there will be no significant effects, either individually or in combination with other plans or projects affecting the conservation interests or conservation objectives of the Blackwater River (Cork/Waterford) SAC.

Having reviewed the documents and submissions in this application and appeal, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone or in combination with other plans and projects, on European sites.

### 7.2.2. *Description of Development*

The applicant provides a description of the project in Section 3.1 of the AA Screening part of the NIS document. In summary, the development comprises the laying of 4,387m of underground grid connection cable to connect the permitted solar farm at Fiddane, Ballyhea to Charleville 110kV ESB substation at Clashganniv, Ballyhea. The project would include the digging of and preparation of trenches and the laying of the cables in these trenches which would be in the verge along the local road.

The development would include two bridges crossing over narrow streams. The westernmost stream crossing would be at Cooliney Bridge over the Oakfront stream. The stream joins part of the Blackwater River SAC 2.685km downstream of the bridge. Bridge 2 is over the Awbeg stream. It joins part of the Blackwater River SAC 1.5km downstream of the bridge. This is a narrow, overgrown stream beside the Dawn Meats factory. The grid connection shall be provided by laying 4 no. 110mm diameter ducts within the roadway verge extents of each bridge. The construction of the ducts would not require or involve any works within the associated watercourse.

### 7.2.3. *European Sites*

European sites within 15km of the route for the proposed development were identified in Section 3.3 of the applicant's Screening. These are as follows:

Blackwater River (Cork/Waterford) SAC (Site Code: 002170)

Ballyhoura Mountains SAC (Site Code: 002036)

Kilcolman Bog SPA (Site Code: 004095)

### 7.2.4. *Identification of Likely Effects*

#### ***General Observations***

- The proposed development is not directly connected with or necessary to the management of any European site.
- The route of the proposed development is not located in or in the immediate vicinity of any European site.
- The site of the proposed development does not have any known habitat to support any of the Special Conservation Interests of any Special Protection Area.
- There is no known connectivity between the route for the proposed grid connection and Ballyhoura Mountains SAC and Kilcolman Bog SPA. It is

reasonable to determine, therefore, that there is no potential for significant effects on the integrity of these two European sites.

- There is hydrological connectivity between the route for the grid connection with the Blackwater River (Cork/Waterford) SAC. The SAC is 2.68km and 1.5km downstream of the two streams crossed by the proposed grid connection route.

#### **Blackwater River (Cork/Waterford) SAC**

The Qualifying Interests of this SAC are:

Estuaries [1130]

Mudflats and sandflats not covered by seawater at low tide [1140]

Perennial vegetation of stony banks [1220]

Salicornia and other annuals colonising mud and sand [1310]

Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]

Mediterranean salt meadows (*Juncetalia maritimi*) [1410]

Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation [3260]

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]

*Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]

*Austropotamobius pallipes* (White-clawed Crayfish) [1092]

*Petromyzon marinus* (Sea Lamprey) [1095]

*Lampetra planeri* (Brook Lamprey) [1096]

*Lampetra fluviatilis* (River Lamprey) [1099]

*Alosa fallax fallax* (Twite Shad) [1103]

Salmo salar (Salmon) [1106]

Lutra lutra (Otter) [1355]

Trichomanes speciosum (Killarney Fern) [1421]

The Conservation Objectives are:

To restore the favourable conservation condition of:

- Fresh Water Pearl Mussel
- Sea Lamprey
- Twaite Shad
- Atlantic Salt Meadows
- Otter
- Old Sessile Oak Woods
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*

To maintain the favourable conservation condition of:

- White-clawed Crayfish
- Brook Lamprey
- River Lamprey
- Atlantic Salmon
- Kerry Fern
- All other habitats listed

#### 7.2.5. *Potential Effects*

The following is observed:

- The route of the proposed grid connection would be within road corridors and would be distant from the European sites.

- There would be no direct impacts. The habitats that would be directly affected would be artificial surfaces and roadside grassland, which are of low ecological value.
- The indirect effects that could potentially arise relate to the construction works at the two stream crossings and also the potential spread of invasive species at the construction phase by introduction of such species into the streams. Regarding the former, it is noted that potential indirect effects may arise by runoff or fuel spillages at the construction stage via the two streams that have connectivity with the European sites. I note watercourse crossings would be by way of trenching over bridged crossings. Thus, there would be no in-stream works.

#### *7.2.6. In-combination Effects*

The only project requiring consideration for in-combination effects, in my opinion, is the permitted solar farm development which the grid connection would serve. I note the Board's conclusions relating to its previous appropriate assessment and the conclusions drawn on environmental effects.

#### *7.2.7. Mitigation Measures*

No measures designed or intended to avoid or reduce any harmful effects of the proposed alterations on a European site have been relied upon in this screening exercise.

#### *7.2.8. Screening Determination*

The proposed development has been considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would be likely to give rise to significant effects on the Blackwater River (Cork/Waterford) SAC (Site Code: 002170), in view of its Conservation Objectives, and Appropriate Assessment is therefore required.

This determination is based on the following:

- The nature and extent of the proposed works associated with the proposed development,
- The proximity to the European sites, and
- The known pathways between the site and the adjoining European sites.

### 7.3. **Appropriate Assessment**

#### 7.3.1. **Background**

The proposed development is not directly connected to or necessary for the management of any European site. It is therefore subject to the provisions of Article 6(3) of the EU Habitats Directive. Following the screening process above, it has been determined that appropriate assessment is required as it cannot be excluded on the basis of objective information that the proposed development individually or in-combination with other plans or projects will have a significant effect on the Blackwater River (Cork/Waterford) SAC (Site Code: 002170). The possibility of significant effects on other European sites has been excluded on the basis of objective information. Measures intended to reduce or avoid significant effects were not considered in the screening process.

#### 7.3.2. **Natura Impact Statement**

The applicant submitted a Natura Impact Statement by way of further information on 17<sup>th</sup> April, 2020. The NIS addresses the AA screening process, gives a description of the project, identifies the relevant Natura 2000 sites and assesses the potential significant effects thereon, and details mitigation. Potential adverse effects of the proposed development on the Blackwater River (Cork/Waterford) SAC) were examined and assessed. The NIS was prepared in line with current best practice and provides an assessment of all potential effects on the SAC arising from the proposed development.

The NIS concluded that, with the incorporation of proposed mitigation measures into the proposed development design and their subsequent implementation on site, this will ensure that there will be no significant effects, either individually or in combination with other plans or projects affecting the conservation interests or conservation objectives of the Blackwater River (Cork/Waterford) SAC.

I note the considerations of the planning authority's Ecologist, as well as all of the planning application submission and the further information received from the applicant.

Having reviewed the documents, submissions, reports and consultations, I am satisfied that the information allows for a complete assessment of any adverse effects of the development on the conservation objectives of the Blackwater River (Cork/Waterford) SAC.

### **7.3.3. Appropriate Assessment**

#### *Introduction*

This assessment considers all aspects of the proposal which could result in significant effects. Mitigation measures designed to avoid or reduce any adverse effects are considered and assessed. The assessment has had due regard to the applicant's submitted AA Screening Report, the Natura Impact Statement, and the reports received by the planning authority and the Board.

The following guidance is adhered to in the assessment:

DoEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

EC (2002) Assessment of plans and projects significantly affecting Natura 2002 sites. Methodological guidance on the provisions of Articles 6(3) and 6(4) of the Habitats Directive 92/43/EC.

EC (2018) Managing Natura 2000 sites.

#### *Observations on Land Use*

I note the following relating to this the grid connection route:

- The habitats that would be directly affected would be artificial surfaces and grassland along road verges, which are of low ecological value.
- The route of the proposed grid connection would be within road corridors and would be separate from the European sites.

### *European Sites*

The following site is subject to appropriate assessment:

- Blackwater River (Cork/Waterford) SAC (Site Code: 002170)

A description of the site and its Qualifying Interests are set out in the NIS. Details of the European site's Qualifying Interests and Conservation Objectives are set out in the Screening undertaken earlier in this report.

### *Relevant Aspects of the Proposed Development*

Section 4.1 of the applicant's NIS details the characteristics of the proposed works associated with the project. As referenced in the Screening undertaken earlier, the main aspects of the proposed development that could adversely affect the conservation objectives of the European sites are potential indirect effects by runoff from works or fuel spillages at the construction stage via watercourses that have connectivity with the European sites and from invasive species.

The potential effects would thus relate to water quality impacts from contamination and spread of invasive species.

### **Blackwater River (Cork/Waterford) SAC**

Section 4.3 of the applicant's NIS identifies the Qualifying Interests of the SAC, identifies the potential threats, examines the potential for significant effects and makes a determination on likely significant impacts. It is accepted that the potential for significant effects arising from the aspects of the development that could adversely affect the conservation objectives of the qualifying interests of the SAC relate to *Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation* and the Annex II species *Otter, Salmon, River* and



*Sea Lamprey, Freshwater Pearl Mussel, and White-clawed Crayfish.* The nature, scale, and separation distance of the proposed route from other Annex I habitats determines that it is reasonable to conclude that there would be no likely significant effects for these habitats and other species identified as qualifying interests.

It is considered that there may be the potential for the receiving waters within the SAC to be altered as a result of the indirect ingress of pollutants such as hydrocarbons, chemicals or sediments during the construction phase, reducing water quality and potentially having a negative effect on water quality, which could potentially affect habitats and/or the distribution or abundance of species. It is, therefore, accepted that mitigation would be required to control pollutant emissions to the water environment. There is also potential to spread invasive species via imported fill material or by way of machinery transmission at the construction phase by their introduction into the streams which ultimately discharge to the Blackwater River.

#### **7.3.4. Potentially Significant Cumulative Effects**

The only project requiring consideration for cumulative effects, in my opinion, is the permitted solar farm development which the grid connection would serve. The Board previously undertook appropriate assessment for the solar farm and was satisfied that the solar farm, by itself or in combination with other plans or projects, would not adversely affect the integrity of any European site in view of the site's conservation objectives. The relevant site was the Blackwater River (Cork/Waterford) SAC. It may reasonably be determined that there would not be significant cumulative effects on the integrity of this European site in view of its conservation objectives.

#### **7.3.5. Mitigation**

Section 4.5 of the applicant's NIS details the range of mitigation measures intended to be employed as part of the proposed development. The Board should note from the outset that there would be no works within any watercourse. I further note that best practice construction methodologies would be employed to prevent substances entering watercourses, that good site management practices would be implemented in relation to storage of materials and control of spills, and that particular cleaning measures would be used to prevent the spread of invasive species. The applicant's

construction measures would be applied in accordance with Inland Fisheries Ireland requirements. The mitigation measures are incorporated into the applicant's Construction Environmental Management Plan.

In my opinion, these constitute suitable, robust, comprehensive and necessary measures to avoid any adverse impacts on the integrity of the Blackwater River (Cork/Waterford) SAC.

#### **7.3.6. Residual Impacts**

If the proposed mitigation measures are implemented in full, it is expected that significant effects would not result for the qualifying features of the Blackwater River (Cork/Waterford) SAC.

Following my appropriate assessment of the proposed development and with due regard to consideration of the proposed mitigation measures, I am able to ascertain with confidence that the proposed development would not adversely affect the integrity of the Blackwater River (Cork/Waterford) SAC in view of the Conservation Objectives of this site. This conclusion is drawn on a complete assessment of all implications of the proposed development alone and in combination with other plans and projects.

#### **7.3.7. Appropriate Assessment Conclusion**

The proposed development has been considered in light of the assessment requirements of the Planning and Development Act 2000 as amended.

Having carried out screening for appropriate assessment of the project, it was concluded that it may have a significant effect on the Blackwater River (Cork/Waterford) SAC. Consequently, an appropriate assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an appropriate assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely effect the integrity of the Blackwater River (Cork/Waterford) SAC, or any other European site, in view of the sites' Conservation Objectives.

This conclusion is determined by a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures.
- Assessment of in-combination effects with other plans and projects.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Blackwater River (Cork/Waterford) SAC.

#### **7.4. Impact on Local Flora and Fauna**

7.4.1. The following observations are made:

- The route of the proposed grid connection would be within road corridors and would be separate from European sites.
- The route of the proposed development does not have any known habitat of conservation interest. The habitats that would be directly affected would be artificial surfaces and grassland along road verges, which are of low ecological value.
- There would be no works within any watercourse.
- The applicant's CEMP provides for ongoing monitoring of wildlife in the vicinity of the construction works, measures to be employed in the event of encountering any bat roosts, and good construction management practices.
- The applicant's Biodiversity Evaluation and Ecological Impact Assessment addresses methodologies to be employed for nesting birds, protection of tree roots, prevention of introduction of alien invasive plant species, and the monitoring of works near water, hedgerows and mature trees.
- The planning authority's Ecologist had no objection to the proposed development.

7.4.2. I am satisfied to conclude that there would be no known significant impact on local flora and fauna by the laying of the proposed underground cable in the existing road verges.

## 8.0 Recommendation

8.1. I recommend that permission is granted in accordance with the following reasons, considerations and conditions.

## 9.0 Reasons and Considerations

Having regard to:

- (a) national policy with regard to the development of sustainable energy sources,
- (b) the provisions as set out in the current Cork County Development Plan, including those regarding renewable energy development, in particular Objective ED 1-1,
- (c) the location for the grid connection primarily within a road corridor and in an area not subject to natural heritage protection,
- (d) the pattern of development along the grid connection route and the pattern of permitted development in the area, and
- (e) the limited scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development, would not seriously injure the amenities of the area or of property in the vicinity, would not have an unacceptable impact on the road network of the area, would not be detrimental to the natural heritage of the area, and would otherwise be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 17<sup>th</sup> April 2020 and the 18<sup>th</sup> September 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All mitigation measures identified within the Natura Impact Statement and the associated documentation with the planning application shall be implemented in full.

**Reason:** In the interest of clarity and to protect the environment.

3. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist along the grid connection corridor. 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,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. The developer shall pay to the planning authority a contribution for road restoration works following the installation of the grid connection cable along the public roads affected by the proposed development as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000. This contribution shall be paid prior to commencement of development. The form and amount of the contribution 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:** It is considered reasonable that the payment of a development contribution should be made in respect of the restoration of the public road network affected by the grid connection development.

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Kevin Moore  
Senior Planning Inspector

29<sup>th</sup> June 2021