Inspector's Report
ACP-323402-25

Development	10-year permission for the development of a solar farm and all associated site works, with an operational period of 40 years.
Location	Townlands of Aglish, Currahaly, Farnanes, Farran, Knockavullig, Knocknagoul, Knockshanawee, Loughleigh, Mahallagh, Nettleville Demesne, Rathonoane, Rooves Beg, Rooves More, Shandangan East, County Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	24/6157
Applicant(s)	Aglish Solar Farm Limited
Type of Application	Permission
Planning Authority Decision	Refusal of Permission
Type of Appeal	First Party v. Refusal of Permission
Appellant(s)	Aglish Solar Farm Limited
Observer(s)	69 no. observations received as detailed within main Report

Date of Site Inspection	22nd December 2025
Inspector	Enda Duignan

Contents

1. Site Location and Description

1.1. The appeal site has an overall area of 161ha. and is located across the rural townlands of Aglish, Currahaly, Farnanes, Farran, Knockavullig, Knocknagoul, Knockshanawee, Loughleigh, Mahallagh, Nettleville Demesne, Rathonoane, Rooves Beg, Rooves More and Shandangan East, County Cork. The site is located c. 20km to the west of Cork City, with the settlement Coachford c. 1km to the north of the site, on the opposite side of the Inniscarra Reservoir/River Lee. In total, the overall site comprises 6 no. separate land parcels and the total site area is inclusive of the underground cabling connections on the public roads and private lands. The various land parcels can be described as having a gently rolling topography and currently comprise a combination of arable and pastural agricultural farmlands.

Parcel 1

1.2. Located in the north-western corner of the overall site, Parcel 1 is to be accessed from the L62031 local road to the north and comprises a number of agricultural fields which generally have a gently sloping gradient. The various fields within the parcel are bound and separated by hedgerows and treelines of varying heights and maturities. The site has a western abuttal with the L6204. The site surrounds a dwelling and cluster of agricultural buildings that is centrally located within the site. I note that there are a large number of residences within the immediately surrounding road network.

Parcel 2

1.3. Parcel 2 is the largest parcel and is located in the northern corner of the overall site. Located immediately to the south of the River Lee/Inniscarra Reservoir, the site comprises a network of fields which have a relatively flat topography and are separated by mature hedgerows and tree lines. An existing agricultural track divides the eastern portion of the site in a north to south direction. A dense area of forestry forms the entirety of the northern boundary and currently limits views of the site from the north. Access to the site is from the L6203 local road to the south which connects to a private road linking to the land parcel. There are existing clusters of agricultural buildings to the south and south-west of the parcel.

Parcel 3

1.4. Located within the south-western corner of the overall site, to the south of Parcel 1, Parcel 3 comprises 4 no. agricultural fields which are enclosed by hedgerows that are interspersed with trees of varying maturities. The Cooldrum stream is located along the western boundary of the parcel, flowing in a northerly direction where it enters the Kame River further to the north-east. The site is also bound by the L6205 to the west. Access to the site is provided from 2 no. entrances of the L22012 local road to the east. There are existing dwellings and clusters of agricultural buildings to the immediate south and east of the parcel.

Parcel 4

1.5. Parcel 4 comprises a network of fields located at the southern end of the overall site. The fields surround a period dwelling and cluster of agricultural buildings that are currently accessed from the L6207 to the south of the site. The parcel comprises a network of fields which are bordered by mature trees. The Rathonoane stream adjoins the south-eastern and northern eastern boundary of the parcel, flowing in a northerly direction where it also enters the Kame River further to the north. The R619 is located to the north-east and south-east of the site and sits at a higher elevation relative to the site. The stand of mature deciduous trees largely obscures views of the site from this regional road.

Parcel 5

1.6. Parcel 5 is located at the eastern end of the overall site, on the northern side of the L2204. The site comprises an agricultural field which gently rises up from the L2204 towards the northern site boundary. There are a number of residential dwellings located along the local road that adjoins the northern site boundary. The northern and southern site boundaries are characterised by low hedgerows which are interspersed by a number of trees of varying heights and maturities.

Parcel 6

1.7. Parcel 6 is located immediately to the south of Parcel 5 on the opposite side of the L2204. There is an agricultural entrance located towards the eastern end of the parcel and an existing track provides access to a cluster of agricultural buildings located to

the site's north. The site comprises an agricultural field which rises up from the boundary with the L2204 and the site's southern, eastern and western boundaries are characterised by hedgerows which are interspersed by trees of varying maturities.

2. Proposed Development

2.1. Description

2.1.1. The Applicant is seeking a 10 year permission for a solar PV development with a 40-year operational lifespan. In summary, the development shall comprise:

- Solar panels on ground mounted frames,
- 23 no. single storey electrical inverter/transformer stations,
- 6 no. single storey spare parts containers,
- 3 no. Ring Main Units,
- 7 no. weather stations,
- Underground electrical ducting and cabling within the development site, private lands and within the L62031, L6203, R619, L6207, L22012 and L2204 public roads to connect solar farm field parcels,
- Security fencing,
- CCTV,
- Access tracks,
- 4 no. stream/drain deck crossings,
- 6 no. horizontal directional drill crossings (under watercourses/drains/public road),
- Temporary construction compounds,
- Landscaping and all associated ancillary development and drainage works.
- Construction and operational access will be via 7 no. entrances from the L62031, L6203, L22012, L6398 and L2204 local roads.

2.1.2. The PV panels are proposed to be installed using a ground-mounted system that avoids undue ground disturbance and works with the existing site topography. The panels will sit on angled racks comprised of galvanized steel and will either be screw or driven-piled and positioned on the rack with a maximum height of up to 3.25m. The PV panels will be orientated to the south and positioned at a tilt angle between 10-25 degrees from the horizontal. It is noted that the panels will be stationary with no

movable parts.

2.1.3. As detailed in the submitted layout drawings, 23 no. inverter/transformer stations are proposed to convert direct current generated by the PV panels into alternating current which can be subsequently used by the electricity network. It is confirmed that these units are manufactured offsite and delivered installation ready. The units will have a maximum floor area of c. 29.8sq.m. The proposal also includes 3 no. Ring Main Units each measuring c. 2.4sq.m. A total of 6 no. equipment containers measuring 29.8sq.m. are also proposed/ The containers have a maximum height of c. 3.1m and will store spare parts for the development's operation.

2.1.4. The various parcels which will be connected by means of 7 no. 33kV underground interconnector cables which are to be contained within the solar farm access tracks, private lands and within the L62031, L6203, R619, L6207, L22012 and L2204 public roads. The route of the interconnectors will require 4 no. 'dry' construction deck crossings and it is confirmed that no in-stream works are required. The watercourse/drainage ditch crossings are located within Parcel Nos. 1, 4, 5 & 6.

2.1.5. The proposals include the installation of 23 no. hardstanding areas (each of 15m x 8m) across the site. Electrical skids are located within the hardstanding areas at points indicated throughout the site to serve the solar panels. Each hardstanding will contain between 1-3 no. electrical skids, with the total to be finalised during detailed design. Transformers in the electrical skids will change the voltage of the AC current to 33kV. The generated electricity will then be transported via underground cables to the 110kV Gas Insulated Switchgear (GIS) substation at Graigue, where it is further stepped up to 110kV before it is connected by underground cables to the existing Killhill-Thurles 110kV overhead line which traverses the substation site (substation and grid connection will be the subject of a separate consenting process).

2.1.6. A c. 2.4m high perimeter fence is proposed around each land parcel. It is stated that the fence will be stock proof in nature and will incorporate mammal friendly access, with a maximum 200 mm gap retained at the bottom between the fence and the ground. Whilst the solar farm will be unmanned, the facility will be monitored remotely

and the site will be subject to routine inspections. It is confirmed that the CCTV will be orientated towards this infrastructure rather than any third-party lands. It is also noted that there is no requirement for potable water or wastewater treatment facilities as part of the facility. The proposed development also includes the installation of 7 no. weather monitoring stations across the various land parcels. The stations will have a maximum height of c. 5m and will measure ambient temperatures, wind speeds and direction, direct and diffuse irradiance etc. as part of standard operational monitoring of the solar farm.

2.1.7. It is detailed that a total of c. 97 linear metres of hedgerow and 3 trees will be permanently removed throughout the site to facilitate site entrance, access tracks and underground cabling. To mitigate this loss, it is proposed to plant 1,194 linear metres of new hedgerow planting (Type 2). In addition, it is proposed to bolster c. 22,285m of existing hedgerows by infilling gaps. It is also notes that ecology on the site will be further fostered through the establishment of focused ecological biodiversity areas and species rich grasslands.

2.1.8. The Applicant notes that the110kV substation, interface towers and grid connection will be subject to a Strategic Infrastructure Development (SID) application to the Commission in accordance with section 182A of the Planning and Development Act, 2000 (as amended). However, it is confirmed that this infrastructure is considered in the various technical reports informing the solar farm application. I note that an indicative location for the proposed substation has been identified within Parcel 6.

2.2. Amendments to Proposed Development at Further Information Stage

2.2.1. Following a request for Further Information (FI) by the Planning Authority, the layout of the proposed solar farm was amended as follows:

- A reduction in the panelled area in Parcel 4, with omission of panels, fencing and CCTV in western area. A corresponding omission of 1 no. inverter / transformer from Parcel 4; Relocation of interconnector 4 cabling in Parcel 4 to avoid a Recorded Monument on the L6398 local road. The interconnector cabling in this area will now enter the L6207 to the south, with a corresponding reduction of 1.05km of underground cabling from the public road;

- Relocation of Interconnector 3 in Parcel 4 to the northern edge of the L6207/L6398 bend. The circuit will enter Parcel 4 at a revised point removing approximately 190m of cabling from the L6398 road;
- Minor alterations to panelled area in Parcel 6 to provide buffer / access to Recorded Monument. Omission of 1 no. inverter /transformer in Parcel 6;
- Revisions to proposed landscaping which now provide for the removal of 86 no. linear metres of hedgerow and 2 trees (reduction of 11m of removal on that originally proposed), 872m of new hedgerow planting (Type 2), as well as the bolstering of an additional 22,296m where necessary, to fill any gaps in existing hedgerows.

2.3. Submitted Documentation

2.3.1. The key documents supporting the application included:

- Planning and Environmental Statement prepared by HW Planning,
- Environmental Impact Assessment Screening by HW Planning,
- Landscape & Visual Impact Assessment (LVIA) with Photomontages prepared by Macro Works,
- Glint & Glare (G & C) Assessment prepared by Macro Works,
- Ecological Impact Assessment (EcIA) (including Biodiversity Management Plan and separate Aquatic Impact Assessment by Lauren Williams),
- Appropriate Assessment Screening prepared by Greenleaf Ecology,
- Construction & Environmental Management Plan (CEMP) and Electrical Infrastructure - Construction Methodology and associated Drawings prepared by Aglish Solar Farm Limited,
- Decommissioning and Site Restoration Plan prepared by Aglish Solar Farm Limited,
- Archaeological, Architectural and Cultural Heritage Impact Assessment prepared by Rubicon Heritage
- Site Access and Drainage Report prepared by Civil and Structural Engineering Advisors,
- Noise Impact Assessment by Wave Dynamics, and,
- Electromagnetic Field (EMF)/Electromagnetic Compatibility (EMC) Impact Assessment Report by Ai Bridges.

2.3.2. Subsequent to the request for FI by the Planning Authority, the following key documents were submitted by the Applicant:

- Updated LVIA Photomontages,
- Updated EcIA,
- Updated CEMP (including Surface Water Management Plan),
- Updated Archaeological, Architectural and Cultural Heritage Impact Assessment,
- Green and Blue Infrastructure Statement, and,
- Invasive Alien Species Management Plan.

3. Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority refused planning permission for the proposed development for the following 1 no. reason:

1. On the basis of information submitted, the applicant has not demonstrated that sufficient archaeological investigations have been undertaken to guide the proposed development towards preserving in-situ potential archaeological features and thereby safeguarding archaeological heritage. The proposed development would therefore contravene County Development Plan Objectives HE 16-9 and HE 16-13, would seriously injure the amenities of property in the vicinity, and would set an undesirable precedent if granted permission. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1. From a review of the planning file, there are a total of 5 no. reports from the Executive Planner, Senior Executive Planner and Senior Planner which form the basis of the Planning Authority's decision. I will provide a summary of matters raised in each of these reports in chronological order. The initial report from the Executive Planner (dated 15th January 2025) provides a description of site and the subject proposal, details of the pre-planning consultation facilitated by the Planning Authority and an outline of the relevant planning policy context. The report also provides a summary of the public submissions and referral responses received in relation to the subject

proposal. Whilst the principle of development was deemed to be acceptable, a substantial further information (FI) request was recommended. The items raised are summarised below.

1. *Planning*
    a. The submission of an updated LVIA which includes additional viewpoints.

2. *Landscape and Visual Impact*
    a. It was noted that it may not be necessary to remove the full 6m of hedgerow for every access track and entrance. The Applicant was therefore requested to.
        - Consider if the width can be reduced in at least some cases.
        - At site access 1, 3, 4, 5, 6 and 7, existing roadside fences are proposed to be trimmed/moved back. The Applicant was requested to clarify which and where possible only trimming would be sufficient.
        - Submission of a Landscape/Green (and Blue) Infrastructure Plan including a Landscape Design Rationale in line with the requirements of objective policy objective GI 14-3 (b) of the Development Plan.

3. *Archaeology*
    a. Undesignated Cultural Heritage Sites – Geophysics to be undertaken and a report to be submitted to the Planning Authority to address potential impacts.
    b. Areas of Archaeological Potential and Sub-surface Archaeology – a requirement to carry out a geophysical survey under license and archaeological testing.
    c. Visual Impacts – submission of a more robust visual impact assessment which is evidence based.
    d. Submission of photomontages which considers the Visual Impact on Stone Circle CH161 RMP CO071-068, presenting existing views and proposed views.
    e. Clarification as to whether the proposed 'Interconnecting Cable Route' will impact on Burial Ground CH031 RMP CO072-055.
    f. Submission of a revised design to incorporate the Recorded Archaeological Monuments and their associated Zones of Notification into the Site Layout Plans, where relevant.

g. Extent of CH073 (CO072-087) within Parcel 6 should be determined in order to define the monument its buffer zone. Revised layout of panels should be provided to allow access to the monument from the north.

4. *Ecology*
   a. The applicant was requested to undertake and submit the findings of:
      - Dedicated winter bird surveys undertaken during the core wintering period; and,
      - Further breeding bird surveys to be undertaken between April and June.
   b. Submission of precise site-specific and species-specific treatment / removal/eradication method(s) for invasive species recorded within the site, in particular Rhododendron.
   c. The provision of an assessment of the potential implications the proposal may have on local bat activity (foraging and commuting) based on recent scientific research / literature, which indicates decreased activity of bats at solar sites.
   d. Clarify if the provision of deck crossings requires the removal of riparian/treeline/hedgerow habitat. In the event that trees are to be removed, it is stated that compensatory native planting would be required.
   e. Submission of a map showing the location of all proposed artificial refugees (e.g. bird & bat boxes) as specified within Biodiversity Management Plan.
   f. Submission of an outline operational Habitat / Biodiversity Management Plan which is informed by the ecological surveys.
   g. Clarify if the excavation of cable trenches proximal to hedgerow / treeline habitats will be undertaken within the RPZ of peripheral trees and provide details by which these trees are to be protected. It is stated that the root protection zones of trees to be retained, in proximity to site works should be shown on maps.
   h. Undertake further dedicated Badger surveys to confirm or disprove the presence of Badger setts within the zone of influence of the works. If required, submit detailed mitigation measures to avoid disturbance to Badger breeding / resting places.

5. *Environment*
    a. A suitably scaled map detailing the location of all noise sensitive locations (and noise monitoring locations) in the vicinity of the proposed development. Distances from the proposed development were also to be presented in tabular form.
    b. In terms of operational noise, screening is proposed to reduce the noise impact at NSLs 1,2,3,4 and 12. The Applicant was requested to present the predicted levels pre and post screening.
    c. Submission of evidence to support the claim that no audible tonality is predicted at the noise sensitive locations.
    d. Submission of a site-specific Surface Water Management Plan for the construction phase, and a Resource & Waste Management Plan for the proposed project.

6. *Engineering*
    a. Concerns raised that the duration of the ducting works had been underestimated.
    b. The Applicant was requested to assess and confirm if road closures will be required for installation of cabling and joint pits.
    c. Details around the location of each joint bay were not sufficient.
    d. It was unclear if the gravel for the haul roads will be imported or generated on site.
    e. The reinstatement details were not deemed to be acceptable – it was noted that full road width regulating, and reinstatement will be required on all roads.
    f. It was stated that the applicant will need to confirm that a full record of existing water table and roadside inlet locations will be completed and agreed with the Roads Authority before construction of cable trenches commences.
    g. The Applicant was requested to commit to carrying out a structural survey of existing public road bridges before commencing works.
    h. The Applicant was requested to submit a Site-Specific Flood Risk Assessment which was referred to in the Site Access and Drainage Report.

3.2.1.2. The report of the Senior Executive Planner (17th January 2025) indicates that it should be read in conjunction with the report of the Area (executive) Planner. It is confirmed

within the report that the principle of development was deemed to acceptable and supported in national policy. However, it reiterated that a number of matters had not been adequately addressed in the application, and it was recommended that a decision be deferred pending the receipt of this information.

3.2.1.3. The second report of file from the Executive Planner (16th June 2025) provides an assessment of the Applicant's FI response. A summary of the Planning Authority's assessment of the FI response is provided under the following headings.

1. *Planning*
    a. On the basis of the additional viewpoints provided, the Planning Authority was satisfied that the updated LVIA accurately depicts the likely visual impact on the proposed development, at parcel 4 in particular. It was considered that the development will have a localised impact but will not unduly impact on the character of the wider area.

2. *Landscape and Visual Impact*
    a. The response was deemed to be acceptable by the Planning Authority. It was confirmed that:
        - The extent of hedgerow removal is reduced from 97 linear metres to 86m.
        - Confirmation that no fencing needs to be removed or moved back and only annual trimming of the vegetation either side of the entrances will be required.
        - A Landscape/Green (and Blue) Infrastructure Plan has been submitted, and it is stated that once operational, the solar farm will contribute towards an enhanced green and blue infrastructure network in the local area with improved biodiversity benefits.

3. *Archaeology*
    a. In terms of Points 3 (a) and (b), it was noted that the information requested was not provided (i.e. geophysical survey) and the County Archaeologist was therefore unable to make an informed decision. Whilst the Applicant put forward a rationale for not undertaking a geophysical survey, this argument was not

accepted by the Planning Authority.

c. The response submitted regarding visual impacts in the wider area of 5km was deemed to be acceptable given the results of the ZTV analysis and panel visibility.
d. The response confirms that the proposed landscape mitigation measures would alleviate any significant visual impacts and the ZTV (bare landscape model) identified visibility of 0 to 20% of solar panels.
e. The Planning Authority were satisfied that the design amendments ensure that Recorded Monument CH031 RMP CO072-055 was avoided, in that the Interconnector 4 has now been moved.
f. It was noted that the Drawings in the Cultural Heritage Report have been updated to reflect the Recorded Monuments and their associated Zones of Archaeological Potential. However, the site Layout Drawings/Plans did not show the Zones of Archaeological Potential or Zones of Notification. Notwithstanding this, it was considered that this could be dealt with by condition in terms of providing buffer zones around Recorded Monuments reflecting their Zone of Archaeological Potential.
g. Whilst the extent of the Burnt Spread was not been determined through Geophysics as requested, it is noted that a 30m buffer would be required given the doubt over the extent of the monument and this matter can be addressed by way of condition. It is confirmed that the layout has been redesigned /altered in this location so as not to 'isolate the monument' by incorporating a 4m wide access to the area of the monument which was deemed to be acceptable.

4. *Ecology*

a. An updated Ecological Impact Assessment (EclA) was submitted and further ornithological surveys were conducted covering the winter (27th and 28th of February 2025) and breeding (29th and 30th of April 2025) periods. The results of the updated assessment were deemed to be acceptable by the Planning Authority's ecologist.
b. An Invasive Alien Species Management Plan which was deemed to be acceptable.
c. Further bat surveys were conducted which encompassed and emergence survey (5th of May 2025) of an old dwelling to the south of Parcel 2 and passive

monitoring (29th of April 2025 to 5th of May 2025) across the site. In summary, the effect of the development on foraging bats was likely to be neutral in the medium to long-term once landscape planting matures.

d. It was confirmed that there is no removal of riparian habitat arising from the 'dry' deck crossings.
e. An updated Biodiversity Management Plan (Appendix C of EclA) which included a map showing the location of artificial refuges.
f. The Applicant confirmed that the access tracks and cable trenches have been designed to avoid hedgerows/trees and any associated root protection zones (RPZs). Notwithstanding this, an Ecological Clerk of Works will monitor construction of access tracks and/or cable trenches located in proximity to hedgerows/trees and, in the event that any RPZs are identified, compensatory measures shall be adopted as per the agreed construction phase CEMP. This was deemed to be acceptable.
g. Further dedicated badger surveys were completed between February and April 2025, comprising a visual survey plus the use of camera traps. It was confirmed that the proposed solar farm fencing includes mammal access which allows any foraging badgers to continue to use the wider area and was therefore considered to be acceptable.

5. Environment

a. In terms of Items 5 a, b and c, the Planning Authority was satisfied that the applicant had responded to all items raised in the FI request relating to noise and was this was to the satisfaction of the Environment Office. Suitable conditions were recommended.
d. It was confirmed that a site-specific Surface Water Management Plan for the construction phase, and a Resource & Waste Management Plan for the proposed project were submitted.

6. Engineering

The following analysis of the Applicant's response was provided.

a. The duration of the ducting works has been corrected.
b. Road Closures will be necessary, and the contractor will apply as dictated by

the works programme.

c. Joint Bay location has been detailed – these indicate that road closures will be necessary at a number of locations to allow safe installation of the joint bays.
d. Haul road construction has been clarified, and material will be imported.
e. Reinstatement details will be as described in the original report.
f. Full survey and reinstatement of water tables will be conditioned.
g. Full survey and reinstatement of water tables will be conditioned.
h. A Site-Specific Flood Risk Assessment has not been submitted and not deemed necessary.

3.2.1.4. Whilst the Planning Authority accepted that a number of the FI points had been addressed and clarified, concerns remained regarding the potential for archaeological impacts in the absence of a Geophysical Survey being undertaken. In the absence of this information, it was noted that an informed decision could not be made, and a clarification of further information (CFI) was therefore sought. The Senior Planner, in their report dated 16th June 2025 raised similar concerns regarding the failure to submit the requested Geophysical Survey and a CFI was recommended.

3.2.1.5. In their report dated 17th July 2025, the Senior Planner (17th January 2025) refers to Applicant's CFI response which indicated that it remained their decision to not undertake geophysical survey and test trenching at that time, and they refer to the Applicant's rationale for not undertaking same. Given the large-scale nature of the proposed development and the existing presence of Recorded Monuments on site and in the surrounding area, the Senior Planner was of the view that the potential for uncovering further archaeological sites is high. Furthermore, it was stated that dealing with archaeological investigations by compliance could potentially result in the significant loss of panels rendering a development unfeasible. In this regard, the Senior Planner referred to the example of the Ballinrea Solar Farm. Given the lack of archaeological investigations, the Planning Authority was not in a position to make an informed decision on the application, and a refusal of permission was recommended.

3.2.2. **Other Technical Reports**

3.2.2.1. Archaeologist: An initial report on file from the Local Authority's Archaeologist dated 10th January 2025 which indicates that the Applicant did not engage in pre-planning

consultation with their department. In the absence of undertaking a geophysical survey and testing, concerns were raised regarding the potential for impacts on unknown sub surface archaeology. A request for FI was therefore recommended on the items discussed above in Section 3.2.1. A suite of conditions was also recommended in the event of a refusal of permission and an appeal to ACP. The second report on file dated 13th June 2025 recommended a CFI. Whilst the County Archaeologist was satisfied that a number of items had been addressed, it was their view that Geophysical Survey and testing of anomalies and areas of significant ground disturbance should be undertaken and should guide the site layout and design towards preserving in-situ of identified archaeological features.

3.2.2.2. Area Engineer: An initial report (20th December 2024) on file from the Local Authority's area engineer who recommended FI regarding the items discussed in Section 3.2.1 above. A second report (10th June 2025) is on file following the submission of the FI response recommending a grant of permission subject to compliance with suitable conditions. A third report (4th July 2025) is also on file with revised conditions.

3.2.2.3. Ecology: An initial report (13th January 2025) on file from the Local Authority's ecologist who recommended FI regarding the items discussed in Section 3.2.1 above. A second report (20th June 2025) is on file following the submission of the FI response recommending a grant of permission subject to compliance with suitable conditions. A third report (4th July 2025) is also on file reaffirming that they had no objection to the proposed development on ecological grounds subject to compliance with the conditions recommended in the earlier report.

3.2.2.4. Environment Department: I note that reports have been received from 3 no. areas (9 no. reports in total) within the Planning Authority's Environment Section. The first report (14th January 2025) related to potential noise impacts associated with the construction and operational phases of the proposed development and an FI was sought on matters discussed above in Section 3.2.1. A report (13th January 2025) which considers surface water drainage is on file and also recommends FI regarding the requirement to submit a Site Specific Flood Risk Assessment. An additional report (16th January 2025) is also on file requesting the submission of a Resource & Waste Management Plan and a surface water management plan for the construction phase.

Reports from each area of the Environment Section are on file following the receipt of FI and the CFI. All reports confirm that they have no objection to the proposed development subject to compliance with conditions.

3.3. Prescribed Bodies

3.3.1. Department of Housing, Local Government and Heritage (referred to herein as the Department): Report received on file in relation to nature conservation which provided the following recommendations:

- Hedgerow removal for access roads should be minimised where possible.
- Pre-construction survey work should be undertaken immediately prior to construction. Recommendation also included for the use of trail cameras.
- Gap between hedgerow and fence line should be increased from 2m to 3m.
- Creation of ponds/wetland features should be considered in the context of the biodiversity enhancement features.
- Undertake monitoring in terms of bird and bat fatalities during the operational phase.
- Recommendations with regard to mammal gaps in the security fencing.
- Recommendation to limit site lighting.
- Engagement with IFI regarding watercourse crossings.
- Compliance with mitigation measures.

3.3.2. Inland Fisheries Ireland (IFI): Report received on file which has provided a suite of recommendations in the event of a grant of permission.

3.3.3. Transport Infrastructure Ireland (TII): Report received on file which requested the Planning Authority to have regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application. In addition, it is noted that the proposed development should be undertaken in accordance with the recommendations of the Glint and Glare Assessment submitted.

3.4. Third Party Submissions

3.4.1. A total of 203 no. submissions were received from Third Parties in respect of the

proposed development and a high level summary of the issues raised is provided within Section 11 of the Area Planner's report. I note that the issues raised in the Third Party observations to the First Party appeal are broadly similar to the issues raised at application stage which I will discuss in detail in Section 8 of this Report. I note that I have considered all submissions in my assessment of the subject proposal.

4. Relevant Planning History

4.1. A review of the Cork County Council Planning Portal and the Commission's case files was carried out on 8th December 2025 to collate any relevant, recent (within 10 years) planning history for the site and surrounding area.

4.2. Appeal Site

4.2.1. No history of planning applications within the boundaries of the subject site.

4.3. Surrounding Area

4.3.1. There is a history of planning applications within the immediate surrounds of the site which typically relate to small scale residential and agricultural developments which are characteristic of the site's rural setting. There is also a history of permissions for commercial developments and larger residential developments within the wider area in the settlement of Coachford. Two (2) no. permissions that overlap the boundary of the appeal site include:

- Ref. 18/6409: Planning permission granted for the construction of 2 no. cattle underpasses and all associated site works at an address at Knocknagoul, Coachford, Co. Cork.
- Ref. 17/4634: Planning permission granted for the for construction of an extension, incorporating granny flat to the side of existing dwelling and all associated site development works at an address at Loughleigh, Carrigadrohid, Co. Cork

5. Policy Context

5.1. International/EU Policy.

5.1.1. **RED III (European Renewable Energy Directive (EU/2023/2413))**

5.1.1.1. The revised Directive EU/2023/2413 came into force on 20th November 2023. RED III

sets an overall renewable energy target of at least 42.5% binding at EU level by 2030, but it is aiming for 45%. This target is raised from the previous 32% target. It means almost doubling the existing share of renewable energy in the EU. The Directive introduces several provisions to facilitate the deployment of photovoltaic (PV) projects, including the designation of renewable acceleration areas by Member States, a simplified and expedited permit granting process for solar PV projects and streamlined environmental assessment procedures for solar PV projects in designated renewable acceleration areas. This Directive has been transposed by way of SI 254/2025 on 6th August 2025.

5.1.2. **REPowerEU Plan 2022 and Directive EU 2018/2001, as amended 18.05.2022**

5.1.2.1. The plan was prepared in response to the Russian invasion of Ukraine. It focuses on the need to end the EU's dependence on Russian fossil fuels and to tackle the climate crisis. It includes the accelerated rollout of renewable energy. It amends the Directive on the Promotion of the Use of Energy from Renewable Sources (Directive EU 2018/2001) to require that 45% of energy is from renewable sources.

5.2. National Policy and Guidance

5.2.1. **Climate Action and Low Carbon Development Act, 2015, as amended**

5.2.1.1. The Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade. Section 17 of the Climate Action and Low Carbon Development (Amendment) Act, 2021 amends the principal act such that Section 15(1) requires:

"(*1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—*

a) the most recent approved climate action plan,

b) the most recent approved national long term climate action strategy,

c) the most recent approved national adaptation framework and approved sectoral adaptation plans,

d) the furtherance of the national climate objective, and

e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State".

"Relevant body" means a prescribed body or a public body.

5.2.2. **Climate Action Plan 2024 ("CAP24") and 2025 ("CAP25")**

5.2.2.1. The Climate Action Plan 2024 (CAP24) is the third annual update to Ireland's Climate Action Plan 2019. The plan is prepared under the Climate Action and Low Carbon Development Act 2015 (as amended, see below), which introduced economy wide carbon budgets and sectoral emission ceilings, to achieve a 51% reduction in emissions by 2030 (relative to 2018 levels) and net zero emissions by 2050. CAP24 sets out the sectoral emission ceilings for the electricity sector (Table 3.2) and, in Table 12.5, KPIs to accelerate renewable energy generation. Key objectives include deploying up to 5 GW of solar power by 2025 and at least 8 GW by 2030. The Plan also details the significant changes required to enhance the electricity grid's capacity and flexibility.

5.2.2.2. To meet its targets and obligations CAP 24 sets a course for Ireland to halve emissions by 2030 and reach net-zero no later than 2050. In terms of the electricity sector a 75% reduction in emissions based on 2018 levels is required by 2030 and CAP 24 provides that central to achieving this is the strategic increase in the share of renewable electricity to 80% by 2030 including ambitious targets of deploying 9GW of onshore wind, 8GW of solar power and at least 5GW from offshore wind projects.

5.2.2.3. CAP 2025 was published on 15th April 2025. It re-affirms the previous commitment to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5 GW by 2025 and 8 GWs by 2030.

5.2.3. **Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024**

5.2.3.1. The National long-term Climate Action Strategy, entitled Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, sets out indicative pathways, beyond 2030, towards achieving carbon neutrality for Ireland by 2050. The Strategy provides a pathway to a whole-of-society transformation and serves as a vital link between shorter-term Climate Action Plans and Carbon Budgets and the longer-term objective of the European Climate Law and Ireland's National Climate Objective.

5.2.4. **The National Adaptation Framework; Planning for a Climate Resilient Ireland (June 2024)**

5.2.4.1. The most recent approved national adaptation framework, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 (NAF) is Ireland's second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF and its successors do not identify specific locations or propose adaptation measures or projects in individual sectors, but sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making. The NAF identifies 13 (previously 12) priority sectors under 7 lead Departments that are required to prepare sectoral adaptation plans under the Climate Act in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation which were published in 2018 and have been updated in 2025. The original 12 sectoral Plans prepared in 2019 and a new sectoral Plan for tourism prepared in 2025. The following Electricity and Gas Sectoral Plan is relevant to the subject proposal.

5.2.5. **Electricity and Gas Networks Climate Change Sectoral Adaptation Plan 2025 (EGN SAP 2025)**

5.2.5.1. This is the second Sectoral Climate Change Adaptation Plan for the Electricity and Gas Networks Sector, as required under the provisions set out in the Climate Action and Low Carbon Development Act 2015 and the National Adaptation Framework and focuses on climate adaptation. It is a strategic document designed to help Ireland's electricity and gas networks build long term resilience to climate impacts and extreme weather events. The Plan has been developed through the 6-step adaptation planning process set out in the Sectoral Adaptation Planning Guidelines, and has been informed by the latest science and stakeholder engagement. To address the risks posed by climate change to the EGN sector, the EGN SAP 2025 sets out a EGN SAP Vision underpinned by three goals: (i) Establish structures to strengthen and enable action across the EGN sector to increase resilience; (ii) Strengthen the capacity of the EGN sector to ensure long-term resilience and (iii) Deliver a sustainable and resilient EGN sector. These goals are supported by 7 objectives and 38 actions, ranging from

enhancing existing SAP governance processes, to prioritising research, and strengthening policy integration. In addition, delivery of this Plan aims to prioritise the key principles outlined in the 2024 National Adaptation Framework, to ensure just resilience, support nature-based solutions, and avoid maladaptation. Each action is linked to delivery owners, timelines, and relevant national strategies, ensuring alignment with Ireland's climate commitments.

5.2.6. **Project Ireland 2040: National Planning Framework ("NPF"), First Revision of the NPF and the National Development Plan ("NDP 2021-2030")**

5.2.6.1. The Project Ireland 2040 is the Government's long-term overarching strategy to make Ireland a better country for all and to build a more resilient and sustainable future. The NPF and the NDP combine to for Project Ireland 2040. The NPF sets out to deliver a spatial strategy through a set of National Strategic Outcomes ("NSO's"), including: 'Transition to a Low Carbon and Climate Resilient Society' which establishes a national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050. The first revision of the NPF has been approved by both Houses of the Oireachtas, following the decision of the Government to approve the final revised NPF on 8th April, 2025. The 'First Revision' introduces regional renewable electricity capacity allocations for each of the three Regional Assemblies to be achieved by 2030 which for the Eastern and Midland Regional Area is an additional 3,294MW, for solar PV or 45% of the National share in 2030. This is the minimum required for solar generation to meet the 2030 emission reductions in the electricity sector. The NDP 2021-2030 sets out the investment priorities that will underpin the implementation of the National Planning Framework, through a total investment of approx. €116 billion. It recognises that Ireland's energy system requires radical transformation in order to achieve its 2030 and 2050 targets and objectives. It recognises that investment in renewable energy sources affords Ireland an opportunity to decarbonise our energy generation, but that this must be complemented by wider measures to moderate growth in energy demand, increase energy security, diversify supply sources and facilitate more variable electricity generation on the grid.

5.2.7. Relevant National Policy Objectives (NPO) include:

- NPO 69 Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions as expressed in the most recently adopted carbon budgets.
- NPO 70 Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050.
- NPO 71 Support the development and upgrading of the national electricity grid infrastructure, including supporting the delivery of renewable electricity generating development.

5.2.8. **Ireland's 4th National Biodiversity Action Plan 2023–2030**

5.2.8.1. Ireland's 4th National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature. The NBAP will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:

- Objective 1 - Adopt a Whole of Government, Whole of Society Approach to Biodiversity,
- Objective 2 - Meet Urgent Conservation and Restoration Needs,
- Objective 3 - Secure Nature's Contribution to People,
- Objective 4 - Enhance the Evidence Base for Action on Biodiversity
- Objective 5 - Strengthen Ireland's Contribution to International Biodiversity Initiatives.

5.2.9. **National Energy Security Framework, April 2022**

5.2.9.1. The Framework addresses Ireland's energy security needs in the context of the war in Ukraine. It coordinates energy security work across the electricity, gas and oil sectors. The Framework takes account of the need to decarbonise society and the economy, and of targets set out in the Climate Action Plan to reduce emissions. Theme 3 - Reducing our Dependency on Imported Fossil Fuels, focusses on three areas of work:

7.1 Reducing demand for fossil fuels.

7.2 Replacing fossil fuels with renewables, including solar energy.

7.3 Diversifying fossil fuel supplies.

5.2.9.2. Under 7.2, the statement notes that prioritising renewables is in line with the requirements of the recast Renewable Energy Directive and the EC REPowerEU action statement. The Commission has called on Member States to ensure that renewable energy generation projects are considered to be in the overriding public interest, and the interest of public safety, and the Government supports this request.

5.3. Regional Policy

5.3.1. Regional Spatial & Economic Strategy – Southern Region

5.3.1.1. This document seeks to support the delivery of the programme for change set out in Project Ireland 2040, the National Planning Framework (NPF) and the National Development Plan 2018-27 (NDP), and to ensure coordination between the City & County Development Plans and Local Enterprise & Community Plans. It seeks to facilitate the sustainable development of additional electricity generation capacity throughout the region and to support the sustainable expansion of the transmission network. The Regional Authority seeks to ensure that future strategies and plans for the development of renewable energy, and associated infrastructure, will promote the development of renewable energy resources in a sustainable manner.

5.3.1.2. The following relevant Regional Policy Objectives (RPOs) 87, 95, 98, 219 and 221 deal with renewable energy.

- RPO 87 - Low Carbon Energy Future: The RSES is committed to the implementation of the Government's policy under Ireland's Transition to a Low Carbon Energy Future 2015-30 and Climate Action Plan 2019. It is an objective to promote change across business, public and residential sectors to achieve reduced GHG emissions in accordance with current and future national targets, improve energy efficiency and increase the use of renewable energy sources across the key sectors of electricity supply, heating, transport and agriculture.
- RPO 95 - Sustainable Renewable Energy Generation: It is an objective to support implementation of the National Renewable Energy Action Plan (NREAP), and the Offshore Renewable Energy Plan and the implementation of mitigation measures outlined in their respective SEA and AA and leverage the

Region as a leader and innovator in sustainable renewable energy generation.

- RPO 98 - Regional Renewable Energy Strategy: It is an objective to support the development of a Regional Renewable Energy Strategy with relevant stakeholders.
- RPO 219 - New Energy Infrastructure: It is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs.
- RPO 221 - Renewable Energy Generation and Transmission Network:
    a. Local Authority City and County Development Plans shall support the sustainable development of renewable energy generation and demand centres such as data centres which can be serviced with a renewable energy source (subject to appropriate environmental assessment and the planning process) to spatially suitable locations to ensure efficient use of the existing transmission network;
    b. The RSES supports strengthened and sustainable local/community renewable energy networks, micro renewable generation, climate smart countryside projects and connections from such initiatives to the grid. The potential for sustainable local/community energy projects and micro generation to both mitigate climate change and to reduce fuel poverty is also supported;
    c. The RSES supports the Southern Region as a Carbon Neutral Energy Region.

5.3.2. **Other Relevant Guidelines**

5.3.2.1. Regard is also given to:

- EU Energy Directives and Roadmaps and associated national targets for renewable energy by sector.
- National Renewable Energy Action Plan, 2010.
- Strategy for Renewable Energy, 2012-2020.

- Ireland's Transition to a Low Carbon Energy Future, DCENR, 2015-2030.
- Renewable Energy Policy and Development Framework, DCENR, 2016.
- Architectural Heritage Protection Guidelines for Planning Authorities, Department of Housing, Local Government and Heritage, 2011. (updated in 2022).
- Ireland's 4th National Landscape Strategy for Ireland 2015-2025,
- The Planning System and Flood Risk Management, 2009,
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018).
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

5.4. Local Policy

5.4.1. Cork County Development Plan, 2022 – 2028

5.4.1.1. The operative Development Plan for the purpose of this assessment is the Cork County Development Plan, 2022 – 2028 (referred to herein as the Development Plan). The site is located within a rural area of the county, outside the settlement boundary of any designated settlements.

5.4.1.2. Section 13.7 (Solar Energy) of the Development Plan notes that as Large solar farms technology has rapidly improved in recent years and can potentially affect the landscape and natural and built heritage. Large solar farms have potential to be built on agricultural land and leave room for a hybrid land use by allowing farming practices to co-locate with the ground mounted solar panels. It is acknowledged within the Development Plan that there are no national planning guidelines to guide the future development of solar farm proposals. In the absence of same, it is stated that the Council will assess the appropriateness of individual applications received having regard to all other statutory requirements and guidelines, environmental sensitivity factors (if any) of the application-site, similar development guidance internationally, and the overall proper planning and sustainable development of the area. The following County Development Plan Objective is relevant to the consideration of the

appeal:

- ET 13-14: Solar Farm Development
    a. In recognition of national targets and commitments to significantly increase renewable energy production, support will be given to solar farm projects at appropriate locations, where such development does not have a negative impact on the surrounding environment, landscape, historic buildings, or local amenities.
    b. Promote the development of solar energy infrastructure in the county, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity views and prospects.
    c. Require that new solar farm development proposals be assessed against the criteria listed in this Plan until such time as Section 28 Guidelines on Solar Farm Developments from the Department of Housing, Planning and Local Government are published to supersede same.
    d. Encourage the use of passive solar design principles for residential building(s) in line with relevant design criteria.
    e. Support and encourage the installation of solar collectors and panels for the production of heat or electricity in residential and commercial buildings, in line with relevant design criteria.
    f. All proposed solar developments locating in close proximity to any roads and airport infrastructure will undergo a full glint and glare assessment.
    g. Proposals for development of new solar developments and associated infrastructure including grid connections will be subject to ecological impact assessment and, where necessary Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of significant ecological value.

Transmission Network

5.4.1.3. Relevant objectives of the Development Plan include:

- **ET 13-21: Electricity Network**
    a. Facilitate where practical and feasible, infrastructure connections to wind farms, solar farms, and other renewable energy sources subject to normal proper planning considerations.
- **ET 13-22: Transmission Network**
    a. To co-operate and liaise with statutory and other energy providers in relation to power generation in order to ensure adequate power capacity for the existing and future needs of the County including business and residential demands.
    b. Proposals for new electricity transmission networks will need to consider the feasibility of undergrounding or the use of alternative routes especially in landscape character areas that have been evaluated as being of high landscape sensitivity. This is to ensure that the provision of new transmission networks can be managed in terms of their physical and visual impact on both the natural and built environment and the conservation value of European sites.
    c. Proposals for development which would be likely to have a significant effect on nature conservation-sites and/or habitats or species of high conservation value will only be approved if it can be ascertained, by means of an Appropriate Assessment or other ecological assessment, that the integrity of these sites will not be adversely affected.

Landscape

5.4.1.4. Section 14.8 of the Development Plan notes that Cork County Council prepared a Draft Landscape Strategy in 2007. This Landscape Character Assessment (LCA) established a set of 76 landscape character areas reflecting the complexity and diversity of the entire County. However, due to the expanse and variety of Cork County's landscape the character areas have been amalgamated into a set of 16 landscape character types based on similarities evident within the various areas. These landscape character types provide a more general categorization of the County's landscape. As per Map 2 of Appendix F of the Development Plan, the majority of the site is located within the Landscape Character Type (LCT) '8: Hilly River and Reservoir Valleys'. This LCT is classified with a 'High' landscape sensitivity, 'High'

Landscape Value, and 'National' level Landscape Importance. Parcel Nos. 5 and 6 are located within LCT '6a: Broad Fertile Lowland Valleys'. This LCT is classified with a 'High' landscape sensitivity, 'High' Landscape Value, and 'County' level Landscape Importance. The majority of the site is also located within an area that is designated as a 'High Value Landscape'.

5.4.1.5. Relevant objectives of the Development Plan include:

- **GI 14-9: Landscape**
    a. Protect the visual and scenic amenities of County Cork's built and natural environment.
    b. Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of development is undertaken while protecting the environment and heritage generally in line with the principle of sustainability.
    c. Ensure that new development meets high standards of siting and design.
    d. Protect skylines and ridgelines from development.
    e. Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.
- **GI 14-10: Draft Landscape Strategy.**

Views and Prospects

5.4.1.6. Section 14.9 of the Development Plan notes that the County contains many vantage points from which views and prospects of great natural beauty may be obtained over both seascape and rural landscape. The policy indicates that all proposals should be assessed on their merits taking into account the overall character of the scenic route including the elements listed in Volume 2 Heritage and Amenity Chapter 5 Scenic Routes of the Plan and the Landscape Character Type through which the route passes. Relevant Development Plan objectives include:

- **GI 14-12: General Views and Prospects** - Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance

(including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.

- **GI 14-13: Scenic Routes -** Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this Plan. The scenic routes identified in this Plan are shown on the scenic amenity maps in the CDP Map Browser and are listed in Volume 2 Heritage and Amenity Chapter 5 Scenic Routes of this Plan.
- **GI 14-14: Development on Scenic Routes -**
    a. Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area.
    b. Encourage appropriate landscaping and screen planting of developments along scenic routes (See Chapter 16 Built and Cultural Heritage).

Biodiversity and Environment

5.4.1.7. The relevant objectives contained within Section 15.3 (Protecting Sites, Habitats and Species) of the Development Plan include:

- **BE 15-2: Protect sites, habitats and species –**
    a. Protect all natural heritage sites which are designated or proposed for designation under European legislation, National legislation and International Agreements. Maintain and where possible enhance appropriate ecological linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Marine Protected Areas, Natural Heritage Areas, proposed Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites. These sites are listed in Volume 2 of the Plan.
    b. Provide protection to species listed in the Flora Protection Order 2015,

to Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2 of the Plan.

c. Protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 of the Plan.

d. Recognise the value of protecting geological heritage sites of local and national interest, as they become notified to the local authority, and protect them from inappropriate development.

e. Encourage, pursuant to Article 10 of the Habitats Directive, the protection and enhancement of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

- **BE 15-6: Biodiversity and New Development -** Provide for the protection and enhancement of biodiversity in the development management process and when licensing or permitting other activities…
- **BE 15-7: Control of Invasive Alien Species.**

Bult Heritage and Archaeology

5.4.1.8. Chapter 16 of the Development Plan recognises the importance of identifying, valuing and safeguarding archaeological, architectural and cultural heritage for future generations through appropriate protection, management and enhancement measures or via the sensitive development of this resource. The relevant objectives contained within the Chapter include:

- **HE 16-2: Protection of Archaeological Sites and Monuments** Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments and their setting included in the Sites and Monuments Record (SMR) (see www.archaeology.ie) and the Record of

Monuments and Places (RMP) and of sites, features and objects of archaeological and historical interest generally. In securing such preservation, the planning authority will have regard to the advice and recommendations of the Development Applications Unit of the Department of Housing, Local Government and Heritage as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage policy document or any changes to the policy within the lifetime of the Plan.

- **HE 16-5: Zones of Archaeological Potential -** Protect the Zones of Archaeological Potential (ZAPs) located within historic towns, urban areas and around archaeological monuments generally. Any development within the ZAPs will need to take cognisance of the upstanding and potential for subsurface archaeology, through appropriate archaeological assessment.
- **HE 16-9: Archaeology and Infrastructure Schemes -** All large-scale planning applications (i.e. development of lands on 0.5 ha or more in area or 1km or more in length) and Infrastructure schemes and proposed roadworks are subjected to an archaeological assessment as part of the planning application process which should comply with the Department of Arts, Heritage and the Gaeltacht's codes of practice. It is recommended that the assessment is carried out following pre planning consultation with the County Archaeologist, by an appropriately experienced archaeologist to guide the design and layout of the proposed scheme/development, safeguarding the archaeological heritage in line with Development Management Guidelines.
- **HE 16-13: Undiscovered Archaeological Sites -** To protect and preserve previously unrecorded archaeological sites within County Cork as part of any development proposals. The Council will require preservation in situ to protect archaeological monuments discovered. Preservation by record will only be considered in exceptional circumstances.
- **HE 16-15:** Protection of Structures on the NIAH Protect where possible all structures which are included in the NIAH for County Cork, that are not currently included in the Record of Protected Structures, from adverse impacts as part of the development management functions of the County.

<u>Tourism</u>

5.4.1.9. **Objectives of note include:**

- **TO 10-1: Promotion of Sustainable Tourism in County Cork -** Promote a sustainable approach to the development of the tourism sector within Cork County while;
  a. Ensuring the protection of the natural, built and cultural heritage assets of the county, including Natura sites, which are in themselves part of what attracts visitors to the county.
  b. Having regard to cumulative impacts increased visitor numbers and visitor facilitates can have on local infrastructure, sensitive areas and sites, water quality, biodiversity, soils, ecosystems, habitats and species, climate change etc.
  c. Supporting investment in placemaking and the regeneration of towns and villages in recognition of the role 'People and Place' make in attracting visitors to Ireland; encouraging the development of tourism and other facilities within settlements to support such regeneration and compact growth.
  d. Work in partnership with public and private sector agencies to implement the key tourism objectives in this Plan, while first ensuring early consultation with landowners around any new proposed routes and facilities.
  e. Assist community groups to access funding for appropriate, sustainable and beneficial tourism developments.
- **TO 10-3: Tourism Opportunities**
- **TO 10-5: Protection of Natural, Built and Cultural Features.**

<u>Volume Two – Heritage and Amenity</u>

- Chapter 3 Nature Conservation Sites.
- Chapter 4 Habitats and Species Data - Table 2.4.1 (Volume 4) Habitats of Conservation Importance in County Cork
- Chapter 5 Scenic Routes - Views and Prospects & Scenic Route Profiles

5.4.2. **Cork County Council Climate Action Plan**

5.4.2.1. The Cork County Council Climate Action Plan 2024-2029 is aligned with the Government's national climate objectives and targets, which seek to transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050. The Climate Action and Low Carbon Development (Amendment)

Act 2021 frames Ireland's legally binding climate ambition to deliver a reduction in greenhouse gas emissions by 51% by 2030.

6. Natural Heritage Designations

6.1.1. Natura 2000 European Sites within proposed development's Zone of Influence (ZoI) are as follows:

6.1.1.1. **Special Areas of Conservation (SACs)**

- The Gearagh SAC (000108) (c. 8km from site).

6.1.1.2. **Special protection Areas (SPAs)**

- The Gearagh SPA (004109) (c. 9.3km from site),
- Mullaghanish to Musheramore Mountains SPA (004162) (c. 12.4km from site); and,
- Cork Harbour SPA (004030) (c. 25km from site).

6.1.2. **Natural Heritage Areas (NHA) & proposed National Heritage Areas (pNHA)**

- There are no Natural Heritage Areas (NHA) located within 10km of the site. However, there are 4 no. proposed National Heritage Areas (pNHA) within 10km of the site and include:
    - Glashgarriff River pNHA (001055) - c. 2.7km,
    - Lough Gal pNHA (001067) - c. 4.3km,
    - Lee Valley pNHA (000094) - c. 7.0km, and,
    - The Gearagh pNHA (000108) - c. 7.9km.

7. The Appeal

7.1. Grounds of Appeal

7.1.1. A First Party appeal has been prepared by HW Planning on behalf of the Applicant. The report by the Applicant's consultant highlights the key policy and legal framework which they consider relevant to the proposed development. The report then outlines the national and international progress required in terms of meeting climate and renewable targets and a summary is provided of the key solar farm considerations that are directly applicable to the subject proposal. This includes the site's favourable

irradiance resource location and its access to the transmission grid network.

7.1.2. Section 5 of the appellant's submission provides the principal grounds of appeal. The report sets out the background context in terms of the proposed development's archaeological assessment. Here, they note that it had been confirmed during the pre-application process that an experienced archaeological consultant had been engaged and had informed the layout design approach of the proposed development. Following the Planning Authority's FI request, a revised design and updated assessments were submitted along with clear recommendations to ensure that there would be no residual risk to any unknown archaeological features. It is stated that were was also a full commitment to complete a geophysical survey and testing prior to any works on site. It is the appellant's view that a clear methodological approach has been undertaken in terms of the investigation and assessment of the archaeological potential on the subject site. Furthermore, the layout and design of the development had been shaped by the work of the experienced archaeological consultants, and the layout further revised in response to the Planning Authority's concerns.

7.1.3. It is submitted within the appeal that the Council's general claim that that site has the capacity to contain sub-surface archaeology, "which if present, will be negatively impacted by the proposed development" has not been substantiated and has no basis in consideration of the archaeological assessment completed; the nature of subject solar farm development (including flexible design); as well as precautionary mitigation strategy set out to appropriately address a scenario if previously unknown archaeological heritage is identified through a post-consent geophysical survey. The submission then reiterates the mitigation strategy as set out in Section 5 of the Applicant's Archaeological, Architectural and Cultural Heritage Impact Assessment (AACHIA) Report (May 2025). It is confirmed that the Applicant is fully committed to undertaking a full programme of archaeological geophysical survey and / or testing prior to any works taking place on site.

7.1.4. In terms of the Development Plan policy, the submission notes that neither of the policies quoted within the Planning Authority's reasons for refusal (i.e. HE-9 & HE-13) state that it is necessary to undertake a geophysical survey and / or testing in order to

obtain a grant of planning permission for proposals of this nature. The appellant notes that the proposed approach to undertake such investigations prior to the commencement of development complies with the Department of Arts, Heritage and the Gaeltacht's codes of practice, including their application of same on other solar farm sites nationally. It is reaffirmed that the Applicant is committed to the protection and preservation of any previously unrecorded archaeological features on the subject lands, should they exist. As part of this, the Applicant accepts the Council's preference for preservation in-situ should any sites of significant archaeological heritage value be identified as part of the pre-construction investigations.

7.1.5. It is contended within the appeal submission that the approach adopted by the Applicant is consistent with significant precedent in County Cork and nationally and there are many examples whereby Cork County Council have permitted solar farms with appropriately worded conditions requiring pre-commencement geophysical survey and testing. It is noted that the Applicants have been directly involved in 10 no. other permitted solar farm projects in Cork, where this approach has been successfully applied and precedent examples have been provided.

7.1.6. In terms of material contravention considerations, the appellant contend that they have demonstrated that the wording of relevant objectives do not prescribe that geophysical survey or testing are necessary to grant planning permission for the subject solar farm and it is therefore their opinion that the proposed development will not contravene the identified heritage-based policies of the Cork County Development Plan, 2022-2028. Without prejudice to the foregoing however, it is the appellant's view that it is appropriate, in the circumstances and context of the proposed development, for the Commission to exercise its discretion under section 37(2) of the Planning and Development Act and grant permission given the strategic national, and indeed European, importance of the proposed development. Included within Appendix B of the appeal submission is the Applicant's 'Statement of Material Contravention'.

7.2. Observations

7.2.1. A total of 69 no. observations were received from Third Parties in relation to the First Party appeal. I note many of the submissions received raised similar issues

Submissions were received from the following:

1. Paul & Andrea O'Shea
2. Maire O'Hea
3. Sheila Hallissey
4. Moira Hallissey
5. Michael O'Hea
6. James O'Connor
7. Denis McAuliffe
8. Shane Tanner
9. Marie & Trevor Casey
10. Jack Casey and others
11. Liam & Angela Murphy
12. Pat and Noreen Beechinor
13. Turlough & Aoife O'Brien
14. Maisie O'Brien
15. Jimmy & Josephine Corkery
16. Claire & Jeremy O'Sullivan
17. Emma O'Leary & Others
18. Martin O'Sullivan
19. Mary & John Duggan Murphy
20. Louise Stack
21. Triona Lucey & Liam White
22. Sheila & Gerard Lucey
23. Stephen White
24. Derek White
25. Marie O Sullivan & Others
26. Josephine & Eric Knowles
27. Niall Guinevan
28. Jenny O'Hea
29. Farran Community Association
30. Michael Stack
31. Con & Pavlina O'Connor
32. Jim & Kathleen O'Leary

33. John O'Sullivan
34. Peter Coughlan
35. Diarmuid Dineen
36. Dermot & Carmel Dineen
37. Con Fitzgerald
38. Michael & Agnes Keane
39. Aiden & Edel O'Sullivan
40. Ciara McGrath
41. Maria & Adrian Harrington
42. James Murphy
43. James Buckley
44. Margo Murphy
45. Fiona and Noel Lynch
46. Con O'Connor
47. Noreen O'Shea & Rory Brien
48. Anne Hallissey
49. Tim Hallissey
50. Ann Gavin
51. Finbarr Crowley
52. Phillie Hallissey
53. Tim Crowley
54. George & Helen Cronin
55. Caroline & Denis McCarthy & Others
56. Ursula Barry
57. Karina Dineen
58. Emma Tippins
59. Gerard Ahern
60. Martin Byrne
61. Sean J. Costelloe
62. Finbarr Crowley
63. Noel & Mary Twomey
64. Edward Long
65. Gearoid & Deirdre Lucey

66. Michael Crowley
67. Dan Murphy
68. Breda and Michael Keane
69. Michael and Elmarie Long

7.2.2. A summary of the key issues raised in each observation is included below.

Paul & Andrea O'Shea

- Impacts on drainage and the potential for flooding.
- Landscape and visual impacts.
- Impacts on local road network.

Maire O'Hea

- Contended that the scale of the development will have a significant adverse impact on the landscape.
- Concerns raised regarding the adequacy of the archaeological assessments.

Sheila Hallissey

- Archaeological related concerns.
- Adverse impacts on community.
- Amenity concerns due to scale and proximity of the solar farm to residences and schools.

Moira Hallissey

- Scale of development is excessive.
- Ecological related concerns.
- Health impacts associated with EMF.
- Potential fire risks.
- G & C related impacts on neighbouring receptors.
- Ground and surface water contamination.
- Impacts on drainage.
- Noise pollution.
- Traffic related impacts.

- Loss of rural character.

Michael O'Hea

- Archaeological concerns and the failure of the Applicant to engage constructively with the Planning Authority.
- Concerns regarding the lack of community consultation.
- Health related impacts given the proximity to existing schools.
- Concerns regarding the scale of the development and the proximity to existing residences.
- Drainage and flooding concerns.
- Landscape and visual impacts.
- Traffic impacts associated with the construction phase and inadequacy of the surrounding road network.
- Loss of productive agricultural lands.
- Impacts on ecology and biodiversity and the inadequacy of the Applicant's assessment. Impacts on bats, whooper swans are noted.

James O'Connor

- Visual impacts on landscape character.
- Concerns regarding the lack of community engagement.
- Impacts to agricultural lands.
- Loss of rural character through industrialisation.
- Concerns regarding the scale of development and project splitting.

Denis McAuliffe

- The proposed development contravenes the policies of the current Development Plan.
- Residential amenity concerns.
- The proposed development would set an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.
- Concerns regarding the lack of community consultation.
- Concerns regarding the absence of national planning guidance for solar farms.
- Concerns regarding the adequacy of the Applicant's ecological assessment.

Impacts of the development on bats are of particular concern, including impacts on their roosting habitat and the adequacy of the mitigation and monitoring.

- Visual impact concerns and the development's impact on the landscape character. The development is inappropriate in an area of high landscape value.
- Contended that the proposed development will completely alter the rural landscape due to its industrialisation.
- Concerns regarding the adequacy of the LVIA and the proposed mitigation.
- Mitigatory planting has made no provision for Ash Dieback and Fireblight. Concerns regarding the use of hawthorn within the landscaping proposals.
- Concerns associated with the construction phase of the development, particularly with respect to traffic impacts.
- Concerns associated with impacts to existing Group Water Schemes due to contamination.

Shane Tanner

- Inappropriate land use and concerns regarding loss of agricultural lands.
- Impacts of development on the Lee Valley proposed Natural Heritage Area.
- Environmental impacts.
- Impacts on existing farmers.
- Health related impacts from EMF.
- Cultural heritage impacts.

Marie & Trevor Casey

- Archaeological related concerns and the inadequacy of the site investigations.
- Residential amenity concerns including visual impact and noise.
- Landscape and visual impacts.
- Loss of prime agricultural lands.
- Biodiversity impacts in terms of loss of grassland and hedgerows.
- Noise, glare and construction related impacts.
- The proposed development would set an undesirable precedent.

Jack Casey and others

- Impact of the development in terms of the loss of the area's rural character.

- Negative impact on families due to the duration of the development.
- Archaeological concerns and the impact of the development on existing monuments.
- Loss of prime agricultural farmland.
- Adverse impact of the development on biodiversity.
- Amenity impacts, including noise and G &C.
- Concerns regarding the scale and visual impact of the development.
- Concerns regarding the poor precedent the development would set.

Liam & Angela Murphy

- Environmental concerns and its impact on local flora and fauna.
- Concerns regarding the development's visual impact.
- Loss of agricultural lands.
- Amenity concerns including noise, increased traffic, health risks, property values and overall quality of life.

Pat and Noreen Beechinor

- Archaeological concerns associated with the proposed development and the poor precedent the development would establish.

Turlough & Aoife O'Brien

- Concerns regarding lack of public consultation from the Applicant.
- Adverse impacts on local community.
- The proposal hinders future rural housing development in the area and will impact the local economy.
- Landscape and visual impacts.
- Inadequate road network.

Maisie O'Brien

- Health impacts from the development.
- Concerns regarding the visual impacts and noise related impacts.
- Concerns raised regarding its proximity to schools and community uses.
- Concerns highlighted in terms of impacts on local biodiversity.

Jimmy & Josephine Corkery

- Archaeological related concerns and the inadequacy of the Applicant's assessment.
- Inappropriate scale of development.
- Landscape and visual impacts.
- Inadequate road network to accommodate development.

Claire & Jeremy O'Sullivan

- Lack of community engagement in contravention of the Development Plan.
- Traffic impacts associated with the development.
- Visual and landscape impacts.
- Cumulative impacts given its sprawling nature.
- Archaeology related concerns.

Emma O'Leary & Others

- Concerns regarding the absence of national planning guidelines for solar developments.
- Concerns associated with the visual impact of the development, the adequacy of the LVIA and the impacts of mitigation.
- Health and safety concerns associated with the development.
- Archaeological related concerns and the unsuitability of the site for a development of this nature.
- The submission highlights omissions within the Applicant's reports.

Martin O'Sullivan

- Contended that the applicant has demonstrated a consistent pattern of disregard for their archaeological responsibilities despite clear guidance from the Planning Authority.
- Omissions of this nature undermine the integrity of the planning system.
- Reference is made to the observer's original submission on file which raised concerns with respect to the lack of public consultation, G & C impacts, visual impacts, traffic impacts, ecological concerns, archaeological concerns, general

observations and the personal impact of the development.

Mary & John Duggan Murphy

- Concerns regarding the lack of community consultation.
- Lack of national guidance to guide solar developments.
- Concerns raised that the Applicant's FI proposals were not readvertised. Concerns regarding the revisions made and the lack of public participation.
- The validity of the refusal is questioned as the application should have been deemed to be withdrawn.
- The proposed development fails to comply with the policies of the Development Plan in terms of archaeology. Included as an appendix to the observation is a report by a cultural heritage professional who has been engaged on the observer's behalf.
- Stated site selection is misleading. A rationale is provided for the unsuitability of the site.
- Traffic related concerns during the construction phase which have not been adequately assessed by the Planning Authority. Notable concerns are raised regarding the junction of the L2204 with the N22.
- Visual impacts due to panels breaking the skyline and a loss of sunlight as a result of the introduction of hedgerow planting.
- Extensive cabling in road network will significantly impact farmers.
- Validity issues and concerns regarding the lack of landowner consent where HDD is proposed.
- Ecological concerns raised and potential impacts raised due to connectivity with existing SACs and SPAs. Impacts on Otter has been raised as a particular issue as they are mobile species. Concerns also raised regarding hedgerow impacts and the adequacy of the assessment.
- Risks from Asian Hornets have not been addressed.
- Potential impact on Bovine TB has not been addressed given the presence of badgers on site.
- Concerns regarding the failure to submit a fire risk mitigation plan.
- Also included within the observation was an excerpt from the submission from the Lee Valley Action Group (health impacts). A submission is also enclosed

which addresses potential impacts on the existing road network, impacts on existing farms and impacts associated with HDD.

Louise Stack

- Concerns regarding the lack of community consultation.
- Amenity impacts with particular regard to traffic impacts.
- Significant impact on local community including property values.
- Loss of prime agricultural lands is unacceptable.

Triona Lucey & Liam White

- Cultural heritage related concerns.
- Impact on agriculture.
- Significant community concerns.

Sheila & Gerard Lucey

- Cultural heritage related concerns and the inadequacy of the Applicant's assessment.
- Impact on agriculture and loss of productive lands.

Stephen White

- Visual impact and inadequacy of mitigation. Submission to the Planning Authority has been enclosed which includes photographs from upper floors to illustrate the visual impact.
- Archaeological concerns.
- The original observation attached raised concerns regarding visual impacts, impacts on drinking water and impacts on the local road network.
- Failure of the Applicant to address the Planning Authority's concerns.

Derek White

- Lack of sufficient archaeological investigations and the failure to respond to the Planning Authority.
- Concerns raised regarding the validity of the application and the absence of information included within the application.

- The argument that the principle of development is acceptable at this location is not justified. There is also no technical assessment of the application to demonstrate the projected yield and efficiency of the proposals.
- Concerns regarding the visual impact of the development and its impact on the receiving landscape.
- Concerns regarding the adequacy of the traffic assessment and the impact of the development on the local road network.
- Impacts of the proposed development on water supply and quality.
- The proposed development will result in property devaluation and there is an absence of assessment surrounding same.
- Concerns regarding the absence of community consultation

Marie O Sullivan & Others

- The proposed development will detract from the scenic quality of the Lee Valley.
- Archaeological related impacts in terms of impacts on existing recorded monuments.

Josephine & Eric Knowles

- Risks associated with the spread of invasive species.
- Concerns regarding the omission of a Biodiversity Management Plan for the proposed development.
- Concerns regarding the impact of the development on hedgerow habitats and there is a lack of clarity regarding impacts from deck crossings or cable trenching.
- Concerns regarding the absence of an assessment regarding the impact of the development on bats.
- Similar concerns raised regarding the lack of targeted badger surveys.

Niall Guinevan

- Archaeological related impacts of the development.
- Landscape and visual impacts.
- Construction phase impacts and impacts on local road network.
- Ecology and biodiversity impacts.

- Concerns regarding the proposed substation and proximity to residences and schools.
- Concerns associated with the decommissioning phase. Concerns also highlighted regarding their susceptibility to damage from storms at higher elevations.

Jenny O'Hea

- Archaeological related concerns and it is the observer's view that the application should be refused.

Farran Community Association

- Archaeological related concerns and the inadequacy of the Applicant's assessment.
- Visual impacts associated with the proposed development on the sensitive receiving landscape. Concerns regarding the adequacy of the viewpoints within the LVIA.
- Concerns regarding the adequacy of the local road network to cater to construction traffic.
- Loss of hedgerow habitats raised as an issue of concern.
- Concerns associated with decommissioning and the bond for the solar being void if it was to be sold.

Michael Stack

- Health related impacts due to EMF.
- Lack of public consultation.
- Impact on local road network.
- Environmental impact on local flora and fauna.
- Impacts of the development on land stability due to access tracks and alterations to drainage.
- Loss of agricultural lands.
- Noise related impacts.
- Impacts on drinking water.
- Residential amenity impacts including G & C.

- Alternative suggestions provided for developments of this nature.

Con & Pavlina O'Connor

- Concerns regarding the lack of national planning guidelines for solar farms.
- It is stated that the local community has been disregarded by the developer.
- Archaeological related concerns and the adequacy of the Applicant's assessment and approach to the proposed development.
- Concerns regarding the absence of a geophysical survey.

Jim & Kathleen O'Leary

- Concerns noted regarding the absence of national planning guidance for solar energy developments.
- Concerns raised regarding the Applicant's LVIA and the adequacy of the chosen viewpoints. Photographs enclosed to illustrate the true impact. Concerns also raised regarding the proposed landscaping and associated overshadowing.
- Health and safety related concerns given the proximity of the proposed development to their property.
- The submission highlights that a 3m gap should be provided between all fences and hedgerows.
- Concerns associated with lighting from the development on wildlife.
- The Planning Authority's FI request was not responded to and should therefore be deemed to be withdrawn.

John O'Sullivan

- Concerns regarding the complete lack of engagement.
- Whilst climate policy is quoted, the development is about profit.
- Concerns regarding the spread of the development and the impact on roads as a result of cabling works.
- Concerns regarding the nature of these works and the impact on trees along the local road network.
- Archaeological concerns associated with excavation along the cable route.
- Concerns regarding loss of prime agricultural lands for a development of this

nature.

- The submission questions the bias within the Applicant's supporting reports.
- Visual impacts associated with the proposed development on this unspoilt landscape.
- Concerns raised regarding the viewpoint selection within the LVIA.
- Mitigatory planting will only make things worse from certain viewpoints.
- Concerns raised regarding traffic impacts and underreporting within the Applicant's assessment. It is highlighted that the surrounding road network cannot accommodate the proposed development.
- Concerns that cabling will not be removed from the road once decommissioned.
- Site suitability is questioned given its sprawling nature. Parcel 6 is of particular concern given its northern slope.
- Flooding related concerns on Wood Road and the N22 are noted.
- Concerns regarding the location of the proposed substation given its proximity to the observer's dwelling.
- Concerns regarding the potential impacts of the development on livestock.
- Badgers are located within the ditch in Parcel 6 and their displacement may exacerbate the TB problem in the area.
- Concerns regarding the impact of the development on bats who roost in treelines.
- Concerns regarding the location of CCTV and privacy.
- Impacts on local biodiversity.
- Concerns raised regarding the adequacy of the drawings and the assessments undertaken by the Applicant.
- Noise related impacts including the erection of the development's fencing which has not been considered. Other noise concerns raised regarding traffic and vehicles associated with the construction phase. Operational noise impacts raise, notably the substation element.
- The accuracy of the G & C assessment is questioned by the observer. The risk to surrounding residents is unacceptable.
- Concerns noted regarding the adequacy of the Applicant's aquatic assessments.
- Significant concerns are raised regarding drainage impacts and impacts on

water quality.

Peter Coughlan

- Archaeological related concerns and the inadequacy of the Applicant's assessment.
- Traffic related concerns associated with construction phase and its impact on the local community.

Diarmuid Dineen

- Impact of the proposals on an Ogham Stone within Parcel 5 which is absent from consideration in the Applicant's assessment.
- Concerns regarding the impact of the development on water quality. The use of chemicals in the cleaning of panels is noted as an issue in terms of well water contamination.
- Landscape and visual impact concerns which is contrary to Development Plan policy.
- Concerns regarding the adequacy of the road network to cater to the development.
- Lack of community consultation noted.
- Concerns regarding the proximity to existing schools. Impacts to children with sensory issues have been noted.
- Concerns regarding the impacts of Parcels 5 & 6 in terms of recreational use.
- Alternative options of solar developments are suggested.

Dermot & Carmel Dineen

- Residential amenity concerns given the proximity of the development to existing homes.
- Concerns regarding the lack of community consultation.
- Impact of the development on historical and cultural heritage, including the James Foley Monument and the Alish Graveyard.
- The industrial nature and scale of the development is unacceptable in this area of high landscape value.
- Health related concerns including EMF and impacts on schools and children's

well-being due to noise, traffic congestion etc.

- Environmental concerns including impacts on local flora, fauna and ecosystems.
- Concerns regarding the adequacy of the environmental assessments including their duration, seasonal variations and gaps in the assessment of trees and hedgerows.
- Concerns regarding the impact of the proposed development on water quality and private domestic wells.
- Concerns associated with project splitting and the proposed substation.
- Concerns associated with the adequacy of the decommissioning proposals.
- Loss of prime agricultural land to facilitate the proposed development. International precedent is provided where countries have adopted policies to safeguard agricultural lands in the context of renewable energy developments.
- The proposed development would deter visitors to the area and impact on tourism.
- Alternative options for solar development should be considered.
- The unsuitability of Parcel Nos. 5 (sensitive in terms of cultural heritage) and 6 (north facing) are noted.

Con Fitzgerald

- Concerns regarding the visual impact of the development.
- Concerns raised the Applicant's approach and the adequacy of their response to the Planning Authority.
- G & C impacts associated with the proposed development.

Michael & Agnes Keane

- Archaeological related concerns. Included within the submission are extracts from their original submission to the Planning Authority regarding matters relating to archaeology, ecology and potential G & C impacts.

Aiden & Edel O'Sullivan

- Prematurity of application considering the lack of planning guidance for solar developments.

- Unlike the wind energy strategy, no countywide assessment for the suitability of solar developments has been undertaken in the Development Plan.
- Concerns raised regarding the overall scale of development and the cumulative impacts.
- Concerns raised regarding the impact on rich agricultural enterprises and its importance to the economy.
- Concerns regarding the visual impact of the development.

Ciara McGrath

- Visual impacts concerns, notably from Parcel 6.
- Concerns regarding the location of the substation and its proximity to existing residences.
- Fire safety concerns associated with the substation and the absence of a fire safety plan.
- Inadequate road network to cater to the development.
- Detrimental impact on the area's landscape character.
- Lack of community engagement.

Maria & Adrian Harrington

- Concerns raised regarding the visual impact of the proposed development.
- The proposal is visually intrusive, and the observer's views will be destroyed by the development given the siting and scale of Parcel 4.
- Concerns regarding G & C and the inadequacy of the mitigatory landscaping.
- Inadequacy of the LVIA and a failure to provide representative viewpoints.
- Archaeological related concerns.

James Murphy

- Concerns regarding project splitting.
- Concerns regarding the adequacy of the archaeological assessments and the failure to constructively engage with the Planning Authority.
- Concerns raised regarding the visual impact of the development on what is a high value landscape.
- It is highlighted that viewpoints from the River Lee have been omitted which is

widely used for recreation.

- Visual impacts on the observers home given the proximity of the proposed development. Concerns highlighted regarding the inadequacy of the mitigatory planting.
- The merits of Parcel 6 are questioned given its slope and orientation.
- Some viewpoints provided are misleading.
- Fire safety concerns associated with the substation.
- Concerns regarding the absence of national guidance.
- No details provided as to how the decommissioning will be funded.
- Concerns regarding the lack of community engagement.

James Buckley

- Cultural heritage impacts and inadequacy of the assessments.
- Prematurity of the application in the absence of national and local planning guidelines.
- Loss of prime agricultural lands.
- Cumulative impacts and potential for overdevelopment if precedent is set.
- Impacts on local road network.
- Concerns regarding the adequacy of the community engagement.
- Visual impacts on receiving landscape.

Margo Murphy

- Concerns regarding the adequacy of the archaeological assessments and the impact of the proposed development on cultural heritage.

Fiona and Noel Lynch

- Concerns associated with the development on grounds of site suitability and the loss of prime agricultural lands. The site selection has been done in a random and ad hoc manner with selection done on the basis of the engagement of landowners. Concerns raised regarding the geographic spread of the overall development.
- Concerns associated with the lack of public engagement.
- The observers have concerns regarding the impact of the development on their

dairy farm.

- Concerns that additional run off from the panels within Parcels 5 and 6 will exacerbate flooding in the area.
- The construction of a development of this nature will permanently destroy the land.
- Concerns regarding the location of the development relative to the River Lee in terms of water quality impacts, impacts on recreation and aquatic ecological impacts.
- Wood Road/L2204 to Currahaly is in a poor state of repair and unsuitable for additional traffic associated with the proposed development.
- Concerns associate with the location of the substation and associated impacts. Including EMFs.

Con O'Connor (Lee Valley Action Group)

- The lack of a geophysical survey means the Applicant has failed to establish the archaeological baseline receiving environment.
- The submission provides an outline as to why this was requested by the Planning Authority.
- It is stated that the geophysical survey is a non-invasive technique with no impact on productive agricultural lands.
- Concerns regarding the lack of pre-planning engagement with the Council's Archaeologist.
- In no instance does the NMS envision surveys/testing post consent in the absence of consultation.
- The precedent cases referenced by the Applicant not are not directly relevant given the rich archaeological heritage of the site.
- It is highlighted that the Planning Authority had regard to the Coolglass precedent which they deemed not to be relevant given the opportunities afforded to the Applicant to respond to the FI and CFI.
- The proposed development would set an undesirable precedent given the absence of sufficient analysis.
- Examples have been provided of other solar farms across the country where significant remains have been discovered.

- The Applicant's mitigation strategy does not comply with local or national guidance.
- Notable concerns raised regarding impact on Burial Ground (RMP CO072-055). The applicant has failed to adequately identify or recognise the significance of this monument. If approved, the development would have a profound negative impact on the fragile skeletal remains of children which likely remain within it.
- Concerns regarding the adequacy of the buffer zones provided.

Noreen O'Shea & Rory Brien

- Concerns regarding the ad hoc nature of the development and its impact on agricultural lands.
- Landscape and visual impacts and the inadequacy of the Applicant's G & C assessment.
- Archaeological related impacts.
- Impacts on local road network due to extensive cabling works.
- Included with the submission are their 2 no. original objection letters dated 9th and 17th December 2024. Multiple photos are included within the letters demonstrating the substandard road network. The original objections raise concerns regarding visual impacts, scale of development, lack of public consultation, impact on industry, loss of agricultural land, environmental impacts, heritage impacts, amenity impacts, project splitting, property devaluation and adequacy of decommissioning proposals.

Anne Hallissey

- Concerns regarding the absence of the G & C assessment.
- An EIAR should be prepared for the application.
- The substation has excess capacity for the solar farm and concerns are raised regarding the expansion of developments of this nature in rural areas where agricultural plays a key role in the economy.
- Concerns regarding the lack of public consultation.

Tim Hallissey

- Archaeological impacts and inadequate assessment by the Applicant.
- Impacts on agriculture and farming in the area.
- Application should be accompanied by an EIAR.
- Landscape and visual impacts.
- Ecology and biodiversity impacts.
- Inappropriate form of development in a rural area.

Ann Gavin

- Lack of sufficient archaeological investigations.
- Loss of prime agricultural lands.
- Concerns regarding the proximity of the solar farm to existing schools and childcare facilities and impacts associated with EMF.
- Concerns associated with groundwater contamination and impacts on drinking water. Adverse visual impacts associated with the development.

Finbarr Crowley

- The development is an inappropriate use of agricultural lands.
- The development would diminish the character of the rural area.
- Property devaluation concerns.

Phillie Hallissey

- Cultural heritage concerns and the development's impact on archaeology.
- Landscape and visual impacts.

Tim Crowley

- Loss of agricultural land and potential for flooding.
- Concerns regarding the proximity of the development to existing schools.
- Impacts on the environment and risks to local habitats and wildlife.
- Contamination from chemicals used in the manufacturing of the solar panels.
- Cultural heritage concerns.
- Community impacts.
- Localised heating effects as a result of the proposed development.

George & Helen Cronin

- Impacts on landscape character and visual amenity.
- Impacts on tourism due to landscape impact.
- Impacts on biodiversity and wildlife, notably habitat loss and fragmentation, disruption to breeding and overwintering populations, increased disturbance and possible introduction and spread of invasive species.
- The proposed development will negatively impact the site and surrounding area's historical context.
- Concerns regarding the lack of community engagement.
- Cumulative impacts and the poor precedent this development may establish.
- Alternative locations for renewable energy developments of this nature are suggested.

Caroline & Denis McCarthy & Others

- Concerns the development will destroy an area of high agricultural value for decades to come.
- Traffic related impacts due to the extensive road works required.
- Concerns associated with the proposed substation within Parcel 6.
- Concerns regarding the lack of community consultation.
- Alternatives are recommended such as rooftop installations or brownfield sites.
- Ecological related concerns, particularly with regard native species including deer, foxes, badgers, stoats and many bird species.
- Concerns regarding the adequacy of the archaeological assessments.

Ursula Barry

- Lack of public consultation.
- Visual impacts on landscape character.
- Amenity impacts on local residents.
- Environmental impact on local fauna.
- Scale of development is excessive.
- Impacts on agriculture and loss of productive lands.
- Community impacts.
- Traffic impacts.

Karina Dineen

- Residential amenity impacts on neighbouring residents.
- Concerns raised regarding the adequacy of the LVIA. The chosen viewpoints are unsatisfactory and do not consider sensitive neighbouring receptors or popular walking routes. Alternative locations are suggested and photos from these locations provided.
- The unsuitability of Parcel 6 is highlighted. Of particular note is the slope and orientation of the site and its overall visual prominence.
- Concerns raised regarding noise impacts associated with the proposed development and its impact on neighbouring residents.
- Health related concerns including EMF.
- The proposed will result in property devaluation. The applicant's analysis is inadequate.
- Concerns highlighted regarding the lack of public consultation.
- Flood related concerns given the sloping nature of Parcels 5 and 6.
- Road network is inadequate to facilitate the construction of the proposed development, particularly the L2204.
- Cultural heritage related concerns.

Emma Tippins

- Concerns regarding the lack of community consultation.
- Concerns associated with the scale of development and the associated health risks given the proximity of the development to existing residences.
- Concerns associated with the construction entrance off the L6207.
- Noise related concerns.
- Concerns highlighted regarding the industrialisation of the Lee Valley which is of high scenic value and importance.
- Concerns regarding the loss of prime agricultural lands.
- Devaluation of neighbouring properties.

Gerard Ahern

- The Applicant's rationale for the development in terms of meeting climate

targets is questioned.

- Offshore wind energy should be the form of renewable energy that will achieve the required targets.
- The submission highlights errors/inconsistencies in the application form completed by the Applicant.
- Concerns raised regarding traffic impacts associated with the construction phase.
- Concerns regarding the inadequacy of the archaeological appraisal of the proposed development.
- As no formal FI response was provided by the Applicant, the application should have been deemed to be withdrawn.

Martin Byrne

- Concerns regarding the absence of public consultation.
- Health and wellbeing concerns given its proximity to existing schools.
- Landscape and visual amenity impacts.
- Concerns regarding the impact of the development on agriculture.
- Devaluation of property.

Sean J. Costelloe

- Concerns raised regarding their ability to access information pertaining to the application.
- Scale and industrial nature of the development is unacceptable in a rural area.
- Concerns raised around project splitting and potential cumulative effects.
- Biodiversity impacts associated with the development.
- Hydrological impacts due to the nature of the works and the requirement to comply with the WFD.
- Cultural heritage concerns and the inadequacy of the Applicant's assessment.
- Landscape and visual impacts.
- Amenity impacts, including G & C impacts, noise impacts and impacts from EMF.
- Impacts on local road network.
- Lack of community engagement.

- Overall scale of development.

Finbarr Crowley

- The proposals are in contravention of G1 14-9 of the Development Plan given the visual impact associated with a development of this nature. The policy sets high standards for new development, seeks to protect key landscape features, restricts tree and hedgerow removal and encourages appropriate landscaping.

Noel & Mary Twomey

- Impacts on group water schemes and public water supply.
- Landscape and visual impacts.
- Noise related concerns.
- Concerns regarding the substation and its proximity to their home.
- The development contrary to the policies of the Development Plan.

Edward Long

- Concerns regarding project splitting and the proposed substation.
- Loss of fertile agricultural lands to facilitate the proposed development.
- Concerns associated with the visual impact of the proposed development on the receiving landscape.
- Alternatives to agricultural lands suggested for solar energy.

Gearoid & Deirdre Lucey

- Loss of prime agricultural lands.
- Landscape and visual impacts associated with the proposed development.
- Archaeological concerns and the failure to undertake a geophysical survey.

Michael Crowley

- Concerns regarding the environmental impact of the development. Inaccuracies noted in relation to mammal access, biodiversity gains, estimated CO_2 reductions, incorrect identification of pHNAs, habitat losss, impacts on badger and birds.
- Concerns regarding the scale of development and the loss of prime agricultural

land.

- Community impacts and discussion is provided on 'green energy' projects which have had devasting impacts on the local area. The proposal will set a poor precedent for similar development.
- Traffic related impacts and impacts associated with the proposed cabling works within the public roads. It is contented that the potential impacts have been underreported within the Applicant's assessment. Inconsistencies are highlighted within the Applicant's CEMP. Concerns also noted regarding the substation and its associated traffic impact.
- Health and amenity impacts raised.
- Suggestions for alternatives have been outlined.
- Nosie related concerns associated with the construction phase.

Dan Murphy

- Impacts on the rural economy.
- The application should be accompanied by an EIAR.
- Risks associated with future corporate governance.
- Concerns regarding insufficient community consultation.
- Amenity impacts including G & C.
- Concerns regarding the proposed substation which will be the subject of a separate consenting process.
- Environmental concerns including groundwater contamination, end of life disposal of solar PVs and carbon footprint associated with the fragmentation of the local dairy industry.

Breda and Michael Keane

- Concerns regarding the lack of planning guidance for solar developments.
- Residential amenity concerns in terms of EMF, G & C and noise impacts.
- The proposed development will impact on future residential development in the area.
- Traffic related concerns in terms of increased congestion and safety risks, notably at the central island on the N22.

Michael and Elmarie Long

- Negative impact on scenic landscape.
- Loss or prime agricultural lands.
- Inadequate road infrastructure to cater to the development and negative impacts on residents.

7.3. Planning Authority Response

7.3.1. Response received dated 5th September 2025 which raises concerns with respect to the potential for sub-surface archaeological impacts.

7.4. Further Responses

7.4.1. Submission received from the Department of Housing, Local Government and Heritage. The commentary provided within the report generally aligns with the feedback provided to the Planning Authority at the application phase.

8. Planning Assessment

Having inspected the site and having examined the application details and all other documentation on file, including the reports of the Local Authority, the submissions on file and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development,
- Archaeological Impacts,
- Landscape & Visual Impact,
- Access & Transport Related Impacts,
- Water,
- Biodiversity,
- Residential Amenity, and,
- Other Matters.

8.1. Principle of Development.

8.1.1. Planning permission has been sought by the Applicant for the construction of a solar photovoltaic (PV) development on an overall site measuring c. 161ha. The site is located on the southern side of the River Lee/Inniscarra Reservoir, with the solar panels laid out across 6 no. distinct land parcels. Whilst the Planning Authority was

generally satisfied that the principle of development was acceptable at this location, many Third Party observers are fundamentally opposed to the scale of this industrial development at this rural location. A consistent theme across the observations is the loss of prime agricultural lands. Many observers suggested potential alternatives to productive agricultural lands as being more inherently suitable for solar developments. These included industrial or brownfield sites. I note that the subject site is located within a rural area, on un-zoned lands at a removed distance from the nearest settlement of Coachford. Whilst the Development Plan notes that lands of high environmental / biodiversity value are not generally suitable for such development and it indicates that brownfield lands may be acceptable, it does not explicitly identify a preference for the reuse of previously developed land such as brownfield, industrial land over or productive agricultural land. It is noteworthy that utilising lands for solar farms has been seen across the state as an increasingly common agricultural practice, where farmers and landowners diversify their business. This generally aligns with Development Plan (Section 8.21) policy, where it is noted that renewable energy projects can contribute to the diversification of the rural economy and can bring benefits to local communities. Although the proposed development will result in the displacement of the current agricultural practices on the lands, other livestock such as sheep can be farmed alongside the solar farm and biodiversity enhancement measures can be incorporated into the schemes of this nature. In effect, solar farms are temporary and due to their low impact (i.e. method of installation), the lands can readily revert to other farming uses, if desired. Whilst I acknowledge that it may be preferable to direct solar farms to brownfield or industrial sites to avoid the potential displacement of food production, there is no prescriptive policy prohibiting and/or directing solar farms to certain locations and I am satisfied that the siting of solar energy development on any type of un-zoned agricultural land is not precluded. Whilst I note that concerns have been raised by observers regarding the prematurity of the proposed development in the absence of national guidelines for solar developments, there is policy enshrined in the Development Plan for solar energy developments. I have had regard to this policy in my assessment, and I am fully satisfied that the proposed development can be considered on its merits in the absence of specific national planning guidance for solar energy development.

8.1.2. As I have referenced in Section 5 of this report, the transition to a green economy and an acceleration in the delivery of renewable energy projects is a principle that is supported in international, national, regional and local policy. The NPF seeks to reduce the country's carbon footprint (NPO 69) and promotes renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050 (NPO 70). This policy is now aligned with the ambitious targets set out within CAP24 and CAP25 of achieving net zero emissions by 2050. There are also objectives included within CAP24 and CAP25 to deploy up to 5 GW of solar power by 2025 and at least 8 GW by 2030. Similar support is provided at regional level where the enormous potential for renewable energy in the region is recognised and RPO 56 of the RSES acknowledges the urgency surrounding the transition to a low carbon future. At a local level, Chapter 17 (Climate Action) of the Development Plan outlines specific climate action objectives and various objectives that seek to deliver climate mitigation and adaptation which permeate through the plan. I note that there is strong policy support for the delivery of renewable energy, namely Objective ET 13-1 (Energy) which seeks to 'ensure that County Cork fulfils its potential in contributing to the sustainable delivery of a diverse and secure energy supply and to harness the potential of the county to assist in meeting renewable energy targets and managing overall energy demand'. Furthermore, in recognition of national targets and commitments to significantly increase renewable energy production, Objective ET 13-14 (Solar Farm Development) confirms that support will be given to solar farm projects at appropriate locations, where such development does not have a negative impact on the surrounding environment, landscape, historic buildings, or local amenities.

8.1.2.1. As noted above, there is currently no national planning guidelines to guide the future development of solar farm proposals. In the absence of same, Section 13.8 of the Development notes that the Council will assess the appropriateness of individual applications received having regard to all other statutory requirements and guidelines, environmental sensitivity factors (if any) of the application-site, similar development guidance internationally, and the overall proper planning and sustainable development of the area. Overall, it is considered that the rapid acceleration and delivery of renewable energy projects of this nature is both fully supported in local through to

national policy, and also necessary to achieve the national targets of achieving net zero emissions by 2050. For these reasons, I am satisfied that the principle of development is acceptable at this location. As noted however, it is acknowledged that proposals of this nature must accord with the pertinent policy of the Development Plan. Along with other matters, these are addressed in detail in the following sections of this report.

8.1.3. In terms of the duration of the permission, the Applicant has sought a period of 10 years from the date of a grant of planning permission. This duration is requested as the proposed development is dependent on achieving a suitable connection to the electricity Grid network which is under the control of EirGrid / ESB Networks and the timeframe for receiving an offer is currently unknown. Furthermore, it is envisaged that the application will connect to the grid by means of a new substation and a 'loop-in / loop-out' 110kV cable grid connection which will connect into the existing Inniscarra Macroom overhead line. It is stated that this development will be subject to Strategic Infrastructure Development application to the Commission and will sit independent of any permission for the generation element (solar farm) of the project. The Applicant has also requested that the planning permission specify an operational life of 40 years from the date of the commissioning of the solar farm. The Applicant notes that in the last 5-years, there has been a pronounced shift from the 25 to 40 year operational periods as a result of significant technological advances. It is also noted that investment decisions are made over 40 years for projects of this nature and to ensure certainty in approach, it is important at the planning stage that operational and maintenance budgets and programming reflect this. In summary, it is put forward that a 40-year operational lifetime will maximise the environmental and sustainable energy benefits of the proposed development and precedent examples have been provided of recently approved solar farm developments, both locally and nationally, with similar operational periods. I note that the Planning Authority have raised no concerns regarding the duration of the permission or the solar farm’s operational life. Having regard to the nature and extent of the proposed development and the material considerations required for its development, including a grid connection and the need for financial certainty before progressing with construction, I am satisfied that 10-year permission is acceptable in this instance. Regarding the requested operational period

of 40 years, this appears reasonable in the context of increased knowledge relating to the durability of the proposed infrastructure. I also note that there is significant precedent for similar operational periods being permitted by the Commission.

8.2. Archaeological Impacts

Subsurface Archaeological Impacts

8.2.1. Whilst the principle of development was accepted by the Planning Authority, the application was ultimately refused permission as the Applicant had failed to demonstrate that sufficient archaeological investigations had been undertaken to guide the proposed development. This was in the context of preserving in-situ potential archaeological features and thereby safeguarding archaeological heritage. For this reason, it was determined by the Planning Authority that the proposed development would contravene Objectives HE 16-9 and HE 16-13 of the Development Plan, would seriously injure the amenities of property in the vicinity, and would set an undesirable precedent if permitted. The overall adequacy of the Applicant's assessment and the negative impact of the proposed development on the site's archaeological heritage was also a consistent issue raised by Third Parties both at application and appeal stage. I note that the application was supported by an Archaeological, Architectural and Cultural Heritage Impact Assessment (AACHIA) Report for the proposed development which aimed to assess the baseline archaeological, architectural and cultural heritage environment, evaluate potential effects and provide mitigation measures in accordance with best practice guidelines, to avoid, reduce or offset these effects. The AACHIA was informed by a desktop study and field inspection and the methodology for same is set out in Section 2 of the assessment. It is noted within Section 3 of the assessment that a total of 117 Record of Monuments & Places (RMPs) were located within the initial study area as detailed within Appendix 1 (Inventory of Identified Sites of Cultural Heritage Significance and/or Potential Within Study Area) of the AACHIA. The following RMPs are either located within or immediately adjoining the site:

- 1 no. RMP lies within the boundary of Parcel 1 (CH001) but is excluded from the development area by proposed fencing which respects the associated Zones of Notification (ZoN).
- No RMPs located within the boundary of Parcel 2.

- No RMPs located within the boundary Parcel 3. 1 no. RMP (CH161) lies adjacent to the parcel. The boundary crosses the ZoN for this RMP, but no solar panels or other developments are proposed within this zone.
- 1 no. RMP lies within the boundary of Parcel 4 (CH030). No solar panels or other developments are proposed on this monument or within its ZoN. A second RMP (CH032) is entirely surrounded by Parcel 4. It is stated that the application boundary respects both the monument and its associated ZoN.
- 2 no. RMPs lie within the boundary of Parcel 5 (CH071 and CH072) but are excluded from the development area by proposed fencing which respects the associated ZoN. 1 no. RMP (CH076) lies adjacent the parcel, and the boundary crosses the ZoN for this RMP. However, no solar panels or other developments are proposed within this zone.
- 1 no. RMP lies within the boundary of Parcel 6 (CH073). No solar panels or other developments are proposed on this monument or within its ZoN. 3 no. RMPs (CH074-CH076) lie adjacent to Parcel 6. The boundary crosses the ZoN for these RMPs, but no solar panels or other development are proposed within these zones.
- 1 no. RMP (CH007) lies adjacent to the proposed interconnector cable route between Parcel 1 and Parcel 2, and the proposed route crosses through the associated ZoN for this monument. This cable is proposed to be located in-road where it crosses the ZoN.
- 3 no. RMPs (CH078-CH079) lies adjacent to the proposed interconnector cable route between Parcel 4 and Parcel 5/6, and the proposed route crosses through the associated ZoN for these monuments. This cable is proposed to be located in-road along the entirety of its length, including where it crosses the ZoN.
- 1 no. RMP (CH031) lies along to the proposed interconnector cable route between Parcel 3 and Parcel 4, and the proposed route crosses through the associated ZoN for this monument. This cable is proposed to be located in-road where it crosses the ZoN. However, it is stated that the placename Crossnalannie (Cross[road] of the Children) implies the road and the burial ground may be contemporaneous, and that burials are less likely to underly the road surface.

Other features of archaeological and cultural significance identified within the study area include; sites with Preservations Orders, RMP CH033 – located 260m from

subject site; Protected Structures, 5 no. Protected Structures located within the study area, all of which are also listed on the NIAH register. 3 of the 5 sites are also RMPs (CH004, CH016, CH027)); National Inventory of Architectural Heritage (NIAH), 15 no. sites from the NIAH register located within the study area, none located within the subject site; Undesignated cultural heritage sites including sites identifiable on cartographic sources (CH134 - CH142), Townland Boundaries (CH143 – CH147) and Areas of Archaeological Potential (CH148 - CH160). It is noted within the AACHIA that no additional undesignated cultural heritage sites were identified on other aerial photography and satellite imagery within the proposed development site. Furthermore, no additional sites or features of archaeological, architectural and cultural heritage significance were identified within the site during the field inspection.

8.2.2. Upon review of the application and the Applicant's AACHIA, the Planning Authority's Archaeologist raised some concerns regarding the potential impact of the proposed development on existing RMPs. However, these issues were subsequently addressed following revisions to the layout and design of the development at FI stage. The Council's Archaeologist was generally satisfied that the site's existing and known Cultural Heritage had been satisfactorily addressed. Notwithstanding this, it was their view that the site had the capacity to contain sub-surface archaeology given its overall size, which if present, would be negatively impacted by the proposed development. A key concern of the County Archaeologist from the outset was Applicant's failure to undertake a geophysical survey and subsequent archaeological investigations. Furthermore, it was their view that the Applicant should have engaged with the County Archaeologist at pre-planning stage as recommended by Objective HE 16-9 of the Development Plan. Given the potential impact to Undesignated Cultural Heritage Sites, Areas of Archaeological Potential and Sub-surface Archaeology, the Applicant was requested to carry out a geophysical survey out under licence from the National Monuments Service (NMS), with the results of same to be submitted to the Planning Authority and the NMS to review prior to carrying out archaeological testing. It was noted that a program of archaeological testing (under licence) should then follow, as applicable. The rationale provided within the County Archaeologist's initial report is that there is a high potential for uncovering further archaeological sites given the size of the site and the presence of numerous Recorded Monuments within the site and

surrounding area. It was also noted that there are significant challenges in dealing with the discovery of extensive sub-surface archaeological features post planning consent. They go on to note that there is a Development Plan policy preference for preservation in-situ (avoidance) of significant archaeological features and dealing with archaeological investigations by compliance could potentially result in the significant loss of panels rendering a development unfeasible. The Ballinrea Solar Farm is provided as a recent example which revealed extensive and significant archaeology post-grant.

8.2.3. It is clear from reviewing the 2nd report of the Senior Planner no file, that the Applicant was recommended to carry out the archaeological assessment following engagement with the County Archaeologist at pre-planning stage (i.e. reference to PPS 24/580). As discussed, this approach aligns with Objective HE 16-9 of the Development Plan. Whilst an archaeological assessment has been carried out by the Applicant, Section 4.5 (Archaeology and Heritage) of the Applicant's Planning and Environmental (P & E) Statement confirms that the Applicant is fully committed to completing the archaeological geophysical survey and testing after permission is granted and reference is made to the various mitigation measures outlined within the AACHIA. In terms of the Applicant's rationale for this approach, it is stated that this aligns with the NMS Solar Farm Developments - Internal Guidance Document (2016) (see Appendix C of P & E Statement), which acknowledges that once a detailed assessment is complete, "it should be possible to avoid a 'Further Information' request and ... proceed to deal with the application through the recommendation of planning conditions...". It is contended that the Applicant's AACHIA is detailed in nature, supported by desktop research, site survey and drone analysis and the findings and recommendations provide for certainty in approach that all archaeological matters will be resolved in full and in consultation with the Department of Housing, Local Government and Heritage Development prior to the construction of the proposed development. The Applicant also refers to relevant planning precedent where similar approaches were accepted, a pronounced shortage of geophysical survey resource in Ireland at present which did not support programme efficiencies in obtaining planning consent and the requirement for an expedient decision to facilitate possible participation in the Enduring Connection Policy (ECP) process. In terms of the Applicant's FI response, it was noted that a

decision had been taken to not undertake the geophysical survey at that time, given the priority status afforded to solar farm protects in terms of fast permitting and overriding public interest when dealing with competing environmental interests. It was stated that this legal requirement combined with the mitigation measures proposed in this updated AACHIA will provide for the protection and safeguarding of any sub surface archaeology. A similar rationale was again provided for this approach with reference to a present lack of resources, the NMS Internal Guidance Document, relevant precedent both within County Cork and nationally and the Coolglass legal judgement (Coolglass Wind Farm Limited v An Bord Pleanála [2025] IEHC 1) which sets out the obligations for Public Bodies under Section 15 of the Climate Action and Low Carbon Development Act.

8.2.4. As noted earlier in this report, this approach was not accepted by the County Archaeologist or the Senior Planner, and the Applicant was again requested to carry out a geophysical survey by way of a CFI. The Applicant's CFI reiterated its earlier rationale for the approach. It was again noted that the AACHIA provided a clear framework to ensure there are no impacts on any unknown features of archaeological potential. It was also highlighted that the disruption of existing productive agricultural practices on lands to complete survey and testing works is a very real and practical concern for farmers and the invasive nature of such works in the absence of certainty of planning consent mitigates against projects progressing through the planning process. Whilst there is no further report on file from the County Archaeologist, the commentary included within the County Archaeologist's initial report is repeated by the Senior Planner in their concluding remarks. It is their view that if discovered on site, sub-surface archaeology will be negatively impacted by the proposed development. Furthermore, the challenges in dealing with extensive sub-surface archaeological features post planning consent was noted and they refer again to the example of the Ballinrea Solar Farm and impacts in terms of feasibility. In the absence of the archaeological investigations, it is noted that the Planning Authority could not make an informed decision and permission was therefore refused.

8.2.5. The Applicant's grounds of appeal build on the rationale they presented throughout the application stage. It is noted within the appeal submission that the Planning Authority's final reporting does not specifically address how the proposed development

contravenes Objectives HE 16-9 and HE 16-13 of the Development Plan. For ease of reference, the relevant Development Plan Objectives are repeated as follows:

- HE16-9: Archaeology and Infrastructure Schemes - All large scale planning applications (i.e. development of lands on 0.5 ha or more in area or 1km or more in length) and Infrastructure schemes and proposed roadworks are subjected to an archaeological assessment as part of the planning application process which should comply with the Department of Arts, Heritage and the Gaeltacht's codes of practice. It is recommended that the assessment is carried out following pre planning consultation with the County Archaeologist, by an appropriately experienced archaeologist to guide the design and layout of the proposed scheme/development, safeguarding the archaeological heritage in line with Development Management Guidelines.
- HE 16-13: Undiscovered Archaeological Sites - To protect and preserve previously unrecorded archaeological sites within County Cork as part of any development proposals. The Council will require preservation in situ to protect archaeological monuments discovered. Preservation by record will only be considered in exceptional circumstances.

It is submitted by the Applicant that neither of these policies state that it is necessary to undertake a geophysical survey and / or testing in order to obtain a grant of planning permission for proposals of this nature. Whilst there is a requirement for archaeological assessment on sites of 0.5ha or more, it is stated that this obligation has been fulfilled in the context of the AACHIA and the policy does not prescribe that the completed assessment must include geophysical survey and / or testing. The Applicant notes that the second key element in the wording of HE 16-9 is the statement that the completed assessment should comply with the Department of Arts, Heritage and the Gaeltacht's codes of Practice for archaeological assessment. In response, the Applicant notes that Section 5 (Mitigation Strategy) of the AACHIA confirms that specified measures have been compiled with direct reference to the 'Framework and Principles for the Protection of the Archaeological Heritage (1999)' as well as the following documents:

- Environmental Protection Agency (2003) 'Advice notes on current practice';
- Environmental Protection Agency (2022) 'Guidelines on the information to be contained in Environmental Impact Assessments';
- Department of the Environment. Heritage and Local Government (2011)

'Architectural Heritage Protection Guidelines for Planning Authorities'; and

- National Monuments Service Solar Farm Developments – Internal Guidance Document (2016)

8.2.6. In terms of HE 16-9, the Applicant's appeal submission fails to acknowledge the final sentence of the objective, whereby 'It is recommended that the assessment is carried out following pre planning consultation with the County Archaeologist, by an appropriately experienced archaeologist to guide the design and layout of the proposed scheme/development, safeguarding the archaeological heritage in line with Development Management Guidelines'. It is evident from reviewing the totality of the documentation on file that the Planning Authority's key concern is the lack of pre-planning engagement with the County Archaeologist and the requirement for a fully informed archaeological assessment which has definitively guided the proposed development's final layout and design. It was their view that this could not be done in the absence of undertaking a geophysical survey and subsequent archaeological testing as I have outlined above. Whilst it is recommended under HE 16-9 to carry out the assessment following pre planning consultation with the County Archaeologist, the wording of the objective is such, that it is not an explicit requirement. Furthermore, I would concur with the Applicant that the objective does not specify that a geophysical survey must be carried out. It is evident in my view that the subject proposal has been the subject of a detailed archaeological assessment. Whilst it is acknowledged that there is potential for direct impacts on undesignated cultural heritage sites, areas of archaeological potential and unknown sub-surface archaeology, I note that these impacts can be successfully mitigated through adherence with the measures outlined in the Applicant's AACHIA. In addition to the embedded mitigation, i.e. buffer zones around known RMPs (CH001, CH030, CH071-076 & CH161) and the placement of the interconnector between Parcels 3 & 4 to avoid CH031 (Burial Ground – RMP CO072-055), the additional mitigation measures include, but are not limited to the carrying out of a geophysical survey prior to commencement of works, a programme of archaeological testing and the incorporation of appropriate buffer/no-dig zones, where required.

8.2.7. It was the County Archaeologist's view (2nd Report on file) that the NMS Internal Guidance Document (2016) was intended for the NMS internal team, is non statutory

and therefore cannot be relied upon. Whilst I note that it is not a statutory document, I accept the Applicant's statement that the guidance document has been referenced in a number of precedent examples, including reports by the Commission's Inspectors. Furthermore, I am of the view that due regard should be given to this guidance document in the absence of sector specific archaeological policy. The document was designed to provided NMS staff with specific guidance as to how to approach these cases and was seen as supplementing rather than replacing the 'Framework and Principles for the Protection of the Archaeological Heritage (1999)'. The guidance document acknowledges that solar farms are a form of development which is in significant ways different in its characteristics to older categories of development. It was noted that developments of this nature present a combination of extensive area with, in comparison to (for example) quarries or housing estates, potentially low levels of ground impact over much (though not all) of the development, at least in relative terms, and potential flexibility to avoid impacts. The approaches set out in the guidance document are intended to reflect this, while at the same time ensuring appropriate protection for archaeological heritage. The guidance document recommends an examination of relevant documentary resources, a report on the field inspection of the entire site, quantification of the ground-disturbance impact on the site and a visual impact assessment. If the foregoing is provided, it is stated that it should be possible to avoid an FI request and potentially deal with the application through the recommendation of conditions. It is explicitly stated that FI requests should not take the form of blanket requests for geo-physical survey across the whole development area or requests for archaeological testing across the whole development area on the sole grounds that the development is large-scale. It is noted that any requests for FI by way of geo-physical survey or archaeological testing should be based on specific and verifiable indicators of archaeological potential. The guidance document also notes that it may be acceptable to deal with areas of unclear archaeological potential by way of condition by requiring geo-physical survey and/or testing followed by avoidance or appropriate mitigation.

8.2.8. On balance, I am satisfied that the Applicant has provided a robust archaeological assessment that satisfies the various criteria outlined within the NMS guidance document. Embedded mitigation has ensured that direct impacts on RMPs are

avoided through the incorporation of buffer zones. In addition, all undesignated cultural heritage sites (CH134 - CH142) and Townland Boundaries (CH143 – CH147) are identified within the AACHIA. Areas of Archaeological Potential (CH148 - CH160) pertain solely to rivers and streams and are generally avoided by the development. As I have discussed previously, no additional undesignated cultural heritage sites were identified on other aerial photography or satellite imagery, and no additional sites or features of Archaeological Potential were identified during the field inspection. In terms of the undesignated cultural heritage sites, only CH137 (Parcel 2) and CH141 & CH142 (Parcel 5) are located in areas of the site where solar panels are proposed to be installed. In light of the above guidance and the suite of mitigation measures prescribed in the Applicant's AACHIA, I am satisfied that the archaeological requirements can be dealt with by way of condition. It is reasonable in my view to determine that the proposed development would be unlikely to have a significant impact on sub-surface archaeology when there is a strict requirement to adhere to these specified archaeological measures. Whilst I accept that it may be preferable to undertake targeted geophysical surveying and archaeological testing at the earliest possible stage in the scheme's design, I am satisfied that it has been demonstrated that the proposed development does not contravene Objective HE 16-9 of the Development and therefore, a refusal of permission is not warranted in this instance. This is of particular significance in the context of achieving the ambitious national climate targets and the pressing need to deliver renewable energy projects of this nature which I have discussed earlier in this report.

8.2.9. As mentioned, the Planning Authority have noted that significant challenges may arise in addressing potential sub-surface archaeology through the compliance process and they have referred to the specific example of the Ballinrea Solar Farm. They have also questioned the overall feasibility of the development in the event that sub-surface archaeology is revealed following more detailed site investigations. I have reviewed the most recently published compliance submissions and historic files associated with the Ballinrea Solar Farm (most recently CCC Ref. 234563 & ABP-318915-24). It is evident that there are many similarities between the Ballinrea Solar Farm and the current proposal, and I note that it is the same consultant archaeologist who is involved with both projects. From a review of the documentation, it would appear that project's feasibility has not been compromised by the sub-surface archaeology that has been

revealed on site following the geophysical survey and trench testing. I also note that there is a live application (Ref. 25/04299) for a Battery Energy Storage System (BESS) associated with the permitted solar farm which is currently at FI stage. It is clear that the Applicant is fully aware of the Planning Authority's preference for 'preservation in-situ' as required by Objective HE 16-13 of the Development Plan and the Applicant has made a commitment to same in their appeal submission. I note that there is inherent flexibility in the design of solar farms insofar as it is possible to omit sections of solar arrays to provide buffer/no-dig zones if/where required, or alternatively if the ground conditions allow, the use of ballast footings/concrete shoes can be an approach to mitigate any potential sub-surface archaeological impacts. Within their initial report on file, the County Archaeologist had recommended a suite of conditions in the event that the application was appealed to the Commission and includes a requirement for pre-commencement geophysical surveying and archaeological testing and a preference for preservation in-situ. Subject to compliance with these conditions and the Applicant's mitigation strategy, I am satisfied that the proposed development is in accordance with Objectives HE 16-9 and HE 16-13 of the Development Plan and that the archaeological and cultural heritage of the site and surrounding area will be safeguarded. For this reason, it is my recommendation that permission be granted for the proposed development.

Section 37(2) of the Planning and Development Act 2000 (As Amended)

8.2.10. Notwithstanding my conclusions in the foregoing, where a Planning Authority has decided to refuse permission because a proposed development materially contravenes the development plan, Section 37(2) of the Planning and Development Act 2000, (as amended) (referred to herein as the Act), empowers the Commission to grant permission even if a proposed development contravenes materially the development plan. However, Section 37(2) of the Act states that the Commission may only grant permission, where it considers that one of the following circumstances of Section 37 (2) (b) apply. They are:

i the proposed development is of strategic or national importance,

ii there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or

iii permission for the proposed development should be granted having regard

to regional spatial and economic strategy for the area, guidelines under *section 28*, policy directives under *section 29*, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or

iv permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

8.2.11. Without prejudice to their grounds of appeal, Section 6 (Material Contravention Conditions) of the Applicant's appeal submission notes that where the Commission consider the proposed development to materially contravene the Cork County Development Plan, they believe that it is appropriate, in the circumstances and context of the proposed development, for the Commission to exercise its discretion under section 37(2) of the Act and grant permission given the strategic national, and indeed European, importance of the proposed development. A statement in support of a material contravention is included within Appendix B of the Applicant's appeal which addresses Section 37(2)(b)(i) & (iii) of the Act. From a review of the Planner's Reports, it is unclear whether the Planning Authority have deliberately excluded the word 'materially' from their singular reason for refusal or whether it was an oversight. For context, I note that there is currently a live appeal for a solar farm with the Commission (CCC Ref. 24/5630, ACP- 323747-25) which was refused by the Cork County Council. In that case, Refusal Reason No. 1 was included on the basis of a material contravention of Objectives HE 16-9 and HE 16-13 of the Development Plan and I note that there are parallels between that case and the subject proposal in terms of the rationale for the refusal. Irrespective of this, I will now examine the 2 no. categories included within the Applicant's material contravention statement by reference to the information on the appeal file, including the planning officer's reports, the grounds of appeal and Third Party observations.

i. Strategic or national importance

8.2.12. By reference to the policies in Section 9.1 above 'Principle of Development', Ireland has binding targets it is required to achieve in respect of the delivery of renewable energy, which includes large scale solar developments. The Applicant notes that the

proposed development is supported by a variety of strategic policies and objectives within the Development Plan. Notably, Chapter 13 sets out the Council's approach to 'Energy and Telecommunications' and a suite of policies and objectives in support of same are outlined. Furthermore, Chapter 17 relates to Climate Action, with Table 17.2 setting out the County's Climate Action Strategy and focuses around three pillars, namely reducing energy demand, reducing anthropogenic greenhouse gas emissions, and addressing adaption measures.

8.2.13. Whilst the megawatt (MW) output for the proposed solar farm has not been identified in the application documents, I acknowledge that it can be difficult to be precise on the output as there are a variety of factors which will govern the final energy output of the facility. Noting my assessment in Section 9.1 and the overall scale and nature of the proposed development, I am satisfied that the proposals can be deemed to be of national importance, as its delivery and energisation would make a significant contribution to the achievement of the binding national targets for renewable energy and reduction in carbon emissions. Therefore, I am of the view that the proposed development would satisfy the requirements of Section 37(2)(i) of the Planning and Development Act, 2000 (as amended).

iii. *permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government*

8.2.14. The applicant has also addressed this point in their material contravention statement, where they note that it is Government policy to accelerate the provision of renewable energy to decarbonise the economy and deliver on targets contained within the Climate Action Plan 2024 (and previous iterations). It notes that this is supported directly by the provisions of the NPF and RSES for the Southern Region. NPO 70 of the NPF confirms the government's intention to "Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050". Within this, solar energy is identified as one of four areas of renewable energy potential, alongside

wind, biomass and wave energy. The Applicant also notes that the RSES recognises the pronounced need to decarbonise the southern region, and specifically in respect of electricity "to achieve national and EU targets will require investment in measures to develop alternative renewable energies with greater interconnection to energy resources ... ". Alongside commitments to improve energy efficiency and an increase in the use of renewable energy sources, the Applicant confirms that it is an explicit objective under RPO 100 "to support the integration of indigenous renewable energy production and grid injection". It is the Applicant's contention that the proposed development will deliver directly on this, contributing to the security of energy supply. Given the available grid capacity and comparably higher electricity output due to its siting in an area of high irradiance, the proposed development represents an efficient and optimal location for solar renewable electricity production.

8.2.15. I refer the Commission to Section 5.2 of this Report, where I have outlined relevant national planning policy including the applicable NPOs. I have also considered the RSES as outlined in Section 5.3 and 9.1 of this Report and I refer the Commission thereto. Overall, I am satisfied that permission for the proposed development should be granted having regard to the NPF and the relevant RSES for the area in particular RPO's 56, 87, 95, 98, 219 and 221 which seek to increase the use of renewable energy sources across the key sectors of electricity supply, to leverage the Region as a leader and innovator in sustainable renewable energy generation and to integrate renewable energy sources into the grid. Furthermore, the RSES supports the Southern Region as a Carbon Neutral Energy Region, and the proposed development would contribute to the achievement of that goal.

Conclusion

8.2.16. Having regard to the above, should the Commission not agree with my assessment that the proposed development does not constitute a material contravention of the Development Plan, I am satisfied that the commission is not precluded from granting permission by virtue of the provisions of Section 37(2)(b) i and iii of the Planning and Development Act, 2000 (as amended).

Other Archaeological Cultural Heritage Considerations

8.2.17. Many of the Third Party observers have raised significant concerns regarding the potential impact of the proposed development on an existing Burial Ground (CH031, RMP CO072-055). This RMP is located within the road corridor to the south-west of Parcel 4, at the junction of the L6207 and L6398. As part of the Applicant's original proposals, underground cabling (i.e. 33kB Underground Cable Interconnector 3) was proposed to link Parcels 3 and 4 which was to be laid within the road corridor of the L6207. A separate cable (i.e. 33kB Underground Cable Interconnector 4) would then exit Parcel 4 and travel east along the L6207, the R619 and the L2204 in the direction of Parcel 6 (i.e. substation location). Within their initial report on file, the County Archaeologist requested the Applicant to clarify whether the proposed 'Interconnecting Cable Route' will impact on this RMP. As its extent was unknown, it was recommended that a programme of archaeological testing 'in-road' be undertaken under licence from the National Monuments Service. As part of the Applicant's FI response, it was confirmed that the development had been redesigned to move Interconnector 4, so it avoided the Burial Ground RMP in the local road. It is evident from the amended layout plans that the underground cabling is now removed from the L6398 and is proposed within the southern portion of Parcel 4, where it then enters L6207 at the southern edge of the Parcel. It is also confirmed that 'Interconnector 3' was relocated further away from the burial ground. Following the review of the Applicant's response, it was confirmed within the County Archaeologist's second report on file that they were satisfied with the revisions to the proposed development at the location. It is recommended within the AACHIA that archaeological testing should be carried out under licence from the National Monuments Service in advance of any construction works. Subject to compliance with a condition recommending same, I am satisfied that the revisions to the underground cabling route will ensure the preservation of the existing RMP and the proposals are therefore in accordance with Objective HE 16-2 (Protection of Archaeological Sites and Monuments) of the Development Plan.

8.2.18. As mentioned earlier in this report, there is an existing period dwelling, centrally located within Parcel 4. This dwelling is included on the NIAH (Reg. No. 20907208) and is described as a detached five-bay two-storey house, dated 1828, with a projecting lean-to stairwell block and attached single-storey former stable block to rear. It is clear that the solar panels within this parcel are predominantly laid out across the

complex of fields that would have formed part of the demesne associated with this period property. From my observations on site, it was evident that this parcel displayed an inherent scenic value which is reinforced by the mature tree lines that frame the network of fields. While potential landscape impacts are discussed in further detail in Section 8.3 of this report, I note that the design and layout of the development has ensured that appropriate setbacks are provided from this property. Overall, I am satisfied that the setting and character of this period protect will not be unduly eroded and I consider the proposed development to be in accordance with Objective HE 16-15 of the Development Plan which seeks to protect structures which are included in the NIAH from adverse impacts.

8.2.19. I note that Third Party observers have raised concerns that an existing Ogham Stone is located within Parcel 5 which has not been identified or considered in the Applicant's assessment. Whilst I was unable to observe this feature on site, I note again that a condition will be included that shall require the Applicant to undertake a full geophysical survey and subsequent archaeological testing to be carried out across site and any archaeological features of this nature shall be safeguarded. Concerns were also noted regarding the potential impact of the proposed HDD and cabling works on the 'Quay Wall' located on the L2204 just east of 'Leary's Cross'. I note that existing wall is located outside the application boundary. Given the confined nature of the HDD and cabling works within the existing road corridor, adverse impacts on this wall are unlikely to arise.

8.3. Landscape & Visual Impact

8.3.1. Section 13.8 (Solar Energy) of the Development Plan acknowledges that landscape and visual impacts and impacts on landscape character are some of the issues that that arise in developments of this nature and therefore require careful consideration. The impact of the proposed development in terms of the degradation of the area's rural character and its overall visual impact on existing residents is a significant concern that has been raised within the majority of the Third Party observations on file. It has been highlighted by observers that the site is located within the Lee Valley, a designated high value landscape that will be eroded by the overall scale and industrial nature of the proposed development. Concerns have also been raised

regarding the adequacy of the Applicant's LVIA, and it is noted that the submitted photomontages do not portray the true visual impact of the development, particularly when viewed from many of the dwellings within the surrounds of the application site.

8.3.2. As detailed in Section 5 of this Report, the site of the proposed development is located across 2 no. landscape character types; 'LCT6a - Broad Fertile Lowland Valleys' and 'LCT8 - Hilly River and Reservoir Valleys). The majority of the site (parcels 1-4) is contained with LCT8, which is attributed a 'High' landscape value, 'High' landscape sensitivity, and 'National' level landscape importance. Parcels 5 and 6 are contained within LCT6a, and is attributed a 'High' Landscape Value, 'High' landscape sensitivity, and 'County' level landscape importance. Within the Development Plan, landscape value is defined as the environmental or cultural benefits, including services and functions, which are derived from various landscape attributes. Value is evaluated using criteria ranging from Very High to Low. The majority of the site is contained within a High Value Landscape (HVL) designation, the exception to this are Parcels 5 and 6. I note that HVL designation corelates directly to the LCT8 - Hilly River and Reservoir Valleys and the surrounds of the River Lee corridor, within which the majority of the site is located. In terms of views of recognised scenic value, there 2 no. scenic route designations within the application's study area and include:

- Scenic Route S37 - Road between Leemount and Macroom via Coachford; and,
- Scenic Route S38 - Road between Classis, Curraghbeg and Coachford.

I note that there are a number of general recommendations contained within the Draft Cork County Landscape Strategy regarding LCT6a and 8 which I have had regard to in my assessment of the subject proposal.

8.3.3. The application was supported by an LVIA which describes the development's landscape context of and assesses the likely landscape and visual impacts on the receiving environment. It is noted that the methodology for the LVIA included the following key tasks.

- Desk study and site visits in May 2024;
- Defining the Baseline Landscape setting and conditions;
- Identification and Evaluation of key components of the proposed development;
- Consideration of Mitigation Measures;

- Assessment of Landscape Effects;
- Assessment of Visual Effects; and,
- Summary Statement of Significance.

In terms of the extent of the study area, Section 1.2.2 of the Applicant's LVIA notes that based on similar studies, the proposed development is likely to be difficult to discern beyond c. 5km and is not likely to give rise to significant landscape or visual impacts beyond c. 2km. In the interests of a comprehensive appraisal, a 5km radius study area has been used in this instance. However, it is noted that there is a particular focus on receptors contained within 2km, except where iconic or designated scenic viewpoints exist at greater distances out to 5km. The LVIA includes a total of 17 no. viewpoint photomontages taken from various locations within the study area and each viewpoint provides the existing scenario, an outline view, the proposed montage view and the montage view with the mitigation established. In support of the LVIA, a computer-generated Zone of Theoretical Visibility (ZTV) map has been prepared to illustrate the visibility of the proposed development. The ZTV map is based solely on terrain data (bare ground visibility), and ignores features such as trees, hedges or buildings, which may screen views. It is noted within the LVIA that as the 'bare-ground' ZTV map is theoretical, the proposed PV panels will be considerably screened by surrounding and intervening hedgerow vegetation, trees, numerous buildings, walls and embankments through the study area as the panels will not rise more than 3.25m above the underlying terrain. The second form of ZTV mapping relies on a Digital Surface Model (DSM), which also accounts for terrestrial land cover elements, such as hedgerows and buildings (see Figure 1.8 of LVIA). The LVIA contends that this is of far more value in determining the likely visibility of the solar panels and the following points are noted in relation to the subject proposal:

- There is a notable reduction in the degree of panel visibility in comparison to the bare-ground ZTV scenario. This is principally as a result of the high degree of mature vegetation located along the boundary of the proposed parcels and within the surrounding intervening landscape.
- In some locations along the immediate boundary of the proposed parcels, such as parcels 1, 3 and 5, the potential for visibility will be entirely eliminated. Furthermore, the potential for visibility from other parts of the surrounding landscape in the immediate vicinity of the proposed parcels is heavily reduced,

with visibility of the proposed panels limited to glimpse views identified by the small splay patterns that extend out from the site.

8.3.4. In the case of the subject proposal, it is noted within the LVIA that the main mitigation by avoidance measure that has been employed is the siting of the development in a robust rolling rural area that avails of a high degree of vegetative screening. Therefore, it is contended that the development will not form a highly prominent feature within the surrounding landscape. The Applicant has noted that at an early stage of the design process, additional setbacks had been provided from some of the nearest residential dwellings to mitigate the potential for visual impacts. Residential setbacks have been included from the residential dwellings throughout the site, whilst new sections of hedgerow are also proposed to provide screening of the site, whilst retaining some sense of openness in their immediate surrounds. In terms of landscaping and additional mitigation, it is stated that the retention of existing hedgerow boundaries within and around the site will aid visual screening and will maintain existing field patterns. Furthermore, it is proposed to bolster existing perimeter and internal hedgerows with under and inter-planting of whip transplants (i.e. Hedgerow Type 1) so that dense and consistent screening of the site is provided in perpetuity. Where not already exceeded by existing vegetation, it is intended to manage hedgerows up to 3-4m in height. New 'Type 2' hedgerows are also proposed along the boundaries of some of the proposed parcels to further screen the proposed development from some of the nearest surrounding receptors.

8.3.5. Within their initial report on file, the Planning Authority was of the view that there were other more critical locations which should have been included as representative viewpoints within the LVIA. Furthermore, it was indicated that some of the selected viewpoints were of no benefit. Overall, the Planning Authority noted that the LVIA and associated viewpoints did not sufficiently assess the potential extent of visual impact, particularly in relation to Parcel 4. In order to address these concerns, the Planning Authority requested the Applicant to provide 5 no. additional viewpoints by way of FI at locations within the surrounds of Parcels 1 and 4. Whilst they were satisfied that the proposed landscaping would mitigate against the visual impact, there were some concerns relating to land Parcel 4 and the scale of development given the very prominent nature of the parcel. Following the submission of the additional

photomontages, the Planning Authority was satisfied that the updated LVIA accurately depicted the likely visual impact of the proposed development and now gave a good indication of the likely visual impacts. Overall, it was the Planning Authority's view that the proposed would not unduly impact on the character of the wider area, with only localised impacts identified. This aspect of the proposed development was therefore considered to be acceptable.

8.3.6. The results of the Applicant's LVIA in terms of the magnitude of visual effects is provided in Section 1.6.7 of the LVIA and I have summarised the results of same in the below table. My assessment of each representative viewpoint relative to the respective land parcels is also provided below. It is noted within the LVIA that the selected viewpoints are intended to reflect a range of different receptor types, distances and angles and the development is assessed using up to 6 no. categories of receptor types including Key Views (from features of national or international importance) (KV), Designated Scenic Routes and Views (SR/SV), Local Community views (LCV), Centres of Population (CP), Major Routes (MR) and Amenity and heritage features (AH). I note that Third Party observers have raised concerns regarding the adequacy of the viewpoint selection and have pointed to more sensitive residential receptors, where the visual impacts of the proposed development would in their view be more pronounced and should have been included. Notwithstanding the concerns of the Third Party observers, I am satisfied that the Applicant has provided a comprehensive selection of viewpoints (including the additional viewpoints by way of FI) which are generally reflective of the key receptors in the site's hinterland. The Applicant's approach is acceptable in my view as I accept that it is not practical/reasonable to provide viewpoints from every residential receptor. It is relevant to note that the Applicant's assessment has also considered the potential visual impacts associated with the substation and interface towers. This will form part of a separate consenting process and is therefore not considered in my assessment of the appeal.

Table: Magnitude of Visual Effects

VP No. & Location	VP Sensitivity	Pre-mitigation Significance / Quality / Duration of	Post-mitigation Significance / Quality / Duration of Impact	Assessment

		Impact		
Parcel 1				
VP3: Local road at Nettleville Demesne	Medium-low	Slight-Imperceptible / Negative / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. Visibility of the Parcel 1 is afforded through an agricultural entrance in an otherwise dense roadside hedgerow located along locally elevated terrain. I note that the nearest rows of panels will be visible here. However, once the proposed mitigation screen planting has fully established, the proposed panels will be entirely screened from this location. I note that there are a number of rural dwellings located along this local road and views of the solar arrays would be achieved from the upper floor windows of many of these dwellings. However, noting the mitigatory planting and the separation distances provided, visual impacts are not substantial in my view.
VP7: Local road at Mahallagh.	Medium-low	Slight / Negative / Medium-term	Imperceptible / Negative / Medium-term	✓ - Agree with LVIA conclusions. This is a contained local road viewpoint to the east of Parcel 1 that is representative of surrounding local community receptors given there are a number of dwellings located along this local road. I note that the solar arrays are visually prominent where gaps arise in the existing hedgerow due to the proximity of the arrays to the adjoining road. There are also more prominent views of the site achievable where larger gaps in the hedgerow exist. Notwithstanding this, the proposed panels will be entirely screened from this local road context once the mitigatory planting has established.
Parcel 2				
VP1: R618 south of Coachford Cemetery (S37 scenic route)	Medium	Slight-imperceptible / Negative / Medium-term	Slight-imperceptible / Negative / Long-term	✓ - Agree with LVIA conclusions. This is a partially enclosed view afforded from a section of the S37 scenic route. The layers of intervening vegetation will almost entirely screen the panels located on the southern extents of the River Lee Valley (i.e. Parcel 2). Whilst there are more open views further to the west along the R618, I am satisfied that the solar farm will not be clearly visible from this major route receptor due to the intervening distance and the

				layered vegetation screening.
VP2: Local road at Carhoo Lower	High	Imperceptible / Neutral / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. View is taken from a local road located along the northern banks of the River Lee. The solar farm will not be visible due to the dense layers of mature vegetation located along the banks of the River Lee.
VP4: Coachford Greenway	High	Imperceptible / Neutral / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. View afforded from a section of the Coachford Greenway located along the northern banks of the River Lee. Parcel 2 is entirely screened from here by a combination of the surrounding rolling terrain and dense layers of mature intervening vegetation located along both sides of the river corridor.
VP5: R619 over-bridge of the River Lee	High	Imperceptible / Neutral / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. View afforded from the R619 over-bridge of the River Lee and is representative scenic route S38. Parcel 2 is entirely screened from here by the dense layers of mature intervening vegetation located along the southern side of the river corridor.
VP6: Local road at Lougleigh	Medium	Moderate-Slight / Negative / Medium-term	Slight / Negative / Long-term	✓ - Agree with LVIA conclusions. This is a locally elevated view from a local road to the south-west of Parcel 2. I note that the panels within this parcel will be visible downslope from this locally elevated local road context. I would agree that they will be partially screened and softened by the rolling terrain and existing and proposed hedgerows and intervening vegetation. I would agree that a slight negative impact would arise in the long term as a result of the introduction of built development into this view.
VP8: Local road at Rovers Beg	High-Medium	Slight / Negative / Medium-term	Slight/Negative/ Long-term	X - This is an elevated northern view afforded from a local road in the townland of Rovers Beg to the south of Parcel 2. A number of dwellings are located along this route that benefit from extensive views across the Lee Valley. Given the variation in topography, the mitigatory planting is less effective in screening the development. Whilst the retention of the field patterns will break up the extent of the arrays, the introduction of a development of

				this scale and its overall visibility from this elevated ridge will have Moderate / Negative / long-term impact on the receiving landscape in my view.
VP9: Local road at Aglish Church and Graveyard	High-Medium	Imperceptible / Neutral / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. This view is a highly scenic panoramic view afforded from Aglish Church and Graveyard to the south-east of Parcel 2. It is evident that the Parcel will not be visible from this location due to the intervening vegetation.
Parcel 3				
VP12: Local road at Knockavulling	Medium-low	Imperceptible/ Neutral/Long-term	Imperceptible/Neutral/Long-term	X - View is is taken from a location to the south of the parcel. The site is elevated relative to this viewpoint and the solar arrays will be visible through gaps in the southern boundary hedgerow. Visual impacts will be more pronounced from the existing dwellings that are sited closer to the boundary. There are also exposed views of the site from the L22012 to its north. Longer views will also be achieved from the north given its elevation. An imperceptible impact is therefore unlikely. In this regard, it is considered that a Slight / Negative / long-term impact will arise.
VP4 - FI	Medium	Imperceptible /Neutral/Medium-term	Imperceptible /Neutral/Long-term	✓ - Agree with LVIA conclusions. Parcel 3 not visible from locally elevated view on the L96192 to the south of the parcel.
Parcel 4				
VP1: R618 south of Coachford Cemetery (S37 scenic route)	Medium	Slight-imperceptible / Negative / Medium-term	Slight-imperceptible / Negative / Long-term	✓ - Agree with LVIA conclusions. This is a partially enclosed view afforded from a section of the S37 scenic route. Brief views of panels within Parcel 4 have the potential to be afforded from this location. However, I would agree that the residual magnitude is Low-negligible given the intervening distance and the significant vegetation screening.
VP11: R619 regional road at Rovers Beg	Medium-low	Slight / Negative / Medium-term	Slight / Negative / Long-term	X - View afforded from a section of the R619 regional road in a western direction towards Parcel 4. Whilst the panels are contained in their existing field networks, the introduction of solar arrays form a visually prominent feature given the road is elevated relative to the land parcel. I also note that the mature trees which bound the

				network of fields within the parcel are predominantly deciduous and therefore the visibility of the arrays will be more pronounced in a 'no-leaf' scenario. In this regard, a Moderate / Negative / long-term impact will arise in my view.
VP13: Local road at Rathonane	Medium-low	Slight / Negative / Medium-term	Slight-imperceptible / Negative / Long-term	✓ - Agree with LVIA conclusions. View taken from the L6398 to the north-west of Parcel 4. It is noted that there are a number of dwellings along this local road that have an outlook towards the site. It is noted that the arrays within the western portion of the site have been set back (c. 195m) from this roadside boundary. Whilst a slight negative impact will arise in the medium term, I would agree that the impact will be imperceptible when viewed from this route once the mitigatory planting has been established.
VP 16: Local road at Farnanes	Medium-low	Slight/Negative/Long-term	Imperceptible / Neutral / Long-term	X - View from the L6207 to the immediate south-east of Parcel 4. This VP affords views of the existing farmland through the piers and gates at the entrance to the existing dwelling and farmstead centrally located within the parcel. It is not that this period dwelling is recorded on the NIAH. The view is representative of surrounding local community receptors given the number of dwellings along this local road. Once the proposed mitigation screen planting has fully established, the new section of hedgerow located to the west of the access gates will almost entirely screen the view of panels from this section of the local road. Whilst not visible in the depicted view, it is noted within the LVIA that a new section of hedgerow will also be provided to the rear of the neighbouring dwelling. Given the views that may be achieved from the dormer style dwelling, it is likely that a Moderate / Negative impact would arise in the long-term for this community receptor.
VP1 – FI: L6214 North of Leary's Cross Roads	Medium-low	Moderate-Slight/Negative/Long-term	Moderate-Slight/Negative/ Long-term	✓ - Agree with LVIA conclusions. Panoramic view taken from the elevated L6241 to the north-east of Parcel 4. The setting of the solar arrays within a matrix of fields assists in mitigating the

				overall impact of the development. The development will further assimilate into the setting once planting has been established. Given the localised nature of the view, I would agree that a Moderate-Slight/Negative/Long-term impact would arise.
VP2 - FI	Medium	Moderate-Slight/Negative/Long-term	Moderate-Slight/Negative/Long-term	X - Panoramic view from an elevated section of the R619 to the east of Parcel 4. Given the visibility of the parcel from this elevated viewpoint, it is considered that a Moderate / Negative impact would arise in the medium and long term. From reviewing the submitted photomontages, I note there was no discernible difference between the pre and post mitigatory scenarios.
VP3 - FI	Medium	Moderate-Slight/Negative/Long-term	Moderate-Slight/Negative/Long-term	X – Panoramic view taken from a more elevated location to the south of VP2. As was the case with VP2, there is no discernible difference between the pre and post mitigatory scenarios. A Moderate / Negative impact is considered to arise in the medium and long term.
VP5 - FI	Medium	Imperceptible /Neutral/Medium-term	Imperceptible /Neutral/Long-term	✓ - Agree with LVIA conclusions. Parcel 4 not visible from locally elevated context to the south of the parcel.
Parcel 5				
VP10: Local road at Aglish	Medium-low	Slight / Negative / Medium-term	Slight-Imperceptible / Negative / Long-term	**X** – This viewpoint is taken from a local road to the north of Parcel 5. It is noted that there are a number of dwellings located on either side of this local road that have an outlook towards this Parcel. Whilst the solar arrays have been set back from this boundary and it is proposed to bolster hedgerow planting, this localised view will be fundamentally altered. It is therefore my view that a Moderate / Negative / long-term impact will arise for this localised view. I note that I have recommended revisions to the landscaping proposals at this location which I will discuss in further detail below.
VP14: Local road at Currahaly	Medium-low	Moderate/Negative/Medium-term	Slight /Negative/Long-term	X - VP14b and 14c and are taken in a north and north-western direction towards Parcels 6 & 5 from the L2204. This local road sits in a valley between Parcels 5 & 6 and extensive views of the

				arrays within each parcel will be achieved as a result of their topography whereby the land slopes up from the road. In a pre-mitigation context, it is considered that a section of this road will be fundamentally altered and it is my view that a substantial impact will therefore arise. However, noting the lack of residential receptors in the immediate vicinity, the generally localised visibility along this route and the comprehensive landscape proposals, I am satisfied that that this impact can be successfully mitigated. However, I note that there are more open views of the site from the east and west of the parcel where the landscaping is less effective at screening the more elevated portion of the parcels. It is therefore considered that a Moderate / Negative / long-term impact will arise.
VP15: Local road at Farran	Medium-low	Slight-imperceptible / Negative / Medium-term	Imperceptible / Neutral / Long-term	**X** – These viewpoints are taken from a channelled view from a local road in the townland of Farran, immediately east of the village of Farran and c. 500m to the east of VP14. I would concur that would be an imperceptible impact in the long term once the mitigatory planting has fully established.
Parcel 6				
VP14: Local road at Currahaly	Medium-low	Moderate/Negative/Medium-term	Slight /Negative/Long-term	**X** – VP14a is oriented to the south and afforded from the L2204 to the south of Parcel 5. Given the north facing slope on the site, you are faced with a view of the rear of the solar panel which in my compounds their visual impact and would constitute a substantial impact in a pre-mitigation scenario. I note that this issue was raised by a number of Third Party observers. However, given the proposals to bolster hedgerow planting along the site boundaries, it is considered that the proposed development will result in a Moderate / Negative / long-term.
VP17: Local road at Currahaly south of parcel 6	Medium-low	Slight-imperceptible / Negative / Medium-term	Imperceptible / Neutral / Long-term	✓ - Agree with LVIA conclusions. This is a slightly uphill view across an open pastoral field from locally elevated terrain in the townland of Currahaly. Once fully established, the proposed mitigation screen

				planting will entirely screen the view of the panels from this landscape context.

8.3.7. Whilst I accept that a degree of subjectivity is applied in the preparation of LVIAs, I have outlined a number of instances in my assessment above where I consider the magnitude of effect to have been somewhat underreported in the submitted LVIA. From my observations on site, it was evident that moderative negative impacts will arise in the medium to long term from many of the chosen viewpoints, particularly where panoramic views of the parcels are achieved or where the arrays will be prominently visible from elevated residential receptors. However, I note that the impacts are predominantly localised and can be successfully mitigated through hedgerow management and landscaping to avoid any substantial impacts on the receiving landscape. I note that the majority of the site falls within a High Value Landscape and the River Lee itself is one of the principal landscape features in the area where a notable sense of scenic amenity was evident. However, I would agree with the Applicant that beyond the context of the wider River Lee Valley, the central study area presents as a relatively robust rolling rural landscape that is predominately contained in working land uses such as pastoral farmland. Whilst I accept that the change in land use will alter the area's rural landscape character, it was evident that any Development Plan designated scenic routes within the study area would not be unduly impacted by the proposed development. On balance, I am satisfied that the proposed development will not have a significant adverse impact on the existing landscape character, and I would concur with the Planning Authority that the development can be successfully absorbed at this location. However, it is considered that the proposed planting should be implemented at the earliest opportunity given the length of time it will take for it to reach maturity. It is my view that a condition should be included which requires the landscaping to be implemented within the first planting season following the commencement of works. Furthermore, all ancillary structures such as inverters, the RMU buildings, spare parts containers and other plant to be coloured in green or muted shades to help them assimilate with the surrounding countryside.

8.3.8. Concerns have been raised by Third Parties regarding the decommissioning and restoration of the site. I note that the operational life of the solar farm is c. 40 years.

Following this, it is confirmed within the LVIA that decommissioning will involve the removal of all solar panels and associated fencing, storage and operation facilities. In accordance with a detailed restoration plan, it is stated that the site will be fully restored to agricultural use through reseeding of appropriate grass species to reflect the grass sward mix in the immediate vicinity. Any site access tracks not required for on-going agricultural purposes will be excavated and top-soiled in order to reinstate them to productive agricultural use. Furthermore, existing hedgerow field boundaries, which are to be maintained and reinforced with additional planting during the construction and operational phases, will remain intact following the restoration phase. It is confirmed within the LVIA that the site will be fully restored to agricultural use in accordance with a detailed restoration plan. Whilst I note that the application was supported by an indicative 'Decommissioning and Restoration Plan, it is my view that a condition be included which requires the submission of a finalised restoration plan for agreement prior the commencement of development. As detailed later in this report, this should also include a regime for the maintenance of vegetation between and around the solar arrays.

8.4. Access & Transport Related Impacts

8.4.1. The proposed development is supported by a Site Access and Drainage Report which seeks to provide a detailed engineering appraisal of the local road network for the construction and operational traffic associated with the development. In terms of access arrangements, a total of 7 no. entrances are proposed across the 6 no. land parcels. Six of these are existing entrances and the seventh is a temporary entrance (Parcel 3) for use during the construction stage only. The entrances are described as follows and identified in Figure 3-4 of the Applicant's report:

- Site Entrance no. 1 is an existing entrance on the L62031 local road and provides access to Parcel 1,
- Site Entrance no. 2 is an existing entrance on the L6203 local road and provides access to Parcel 2,
- Site Entrance no. 3 is an existing entrance on the L22012 local road and provides access to Parcel 3. It is stated that it will serve as an entrance during the Operational Phase with 2 to 4 vehicle trips per month,
- Site Entrance no. 4 is an existing entrance on the L6398 local road and provides

access to Parcel 4;

- Site Entrance no. 5 is an existing entrance on the L2204 local road and provides access to Parcel 5;
- Site Entrance 6 is an existing entrance on the L2204 local road and provides access to Parcel 6;
- Site Entrance no. 7 is a new entrance on the L22012 local road and provides access to Parcel 3 for construction stage only. The entrance will be closed, and the hedgerow reinstated on completion of construction.

I note that it was possible to download videos of the site entrances from a link provided in the footnote of the Site Access and Drainage Report. For deliveries to the site, it is confirmed that the various parcels will be accessed via the N22 Cork to Killarney National Primary Route and the L2204 local road as illustrated in Figure 5.1 of the Applicant's report. Appendix A of report includes a suite of drawings showing the Swept Path Analysis of the delivery routes and the analysis demonstrates that the delivery vehicles can access and egress each of the existing site entrances without the need for any works to the local road or site boundaries. In term of Site Entrance 7 (i.e. temporary construction access to Parcel 3), it is stated that the entrance will be closed and the hedgerow reinstated upon completion of the works.

8.4.2. A key concern raised by Third Parties both at application and appeal stage relates to the impact of the proposed development on the surrounding road network. It has been contended by many, that the local road network is incapable of accommodating the traffic generated by the construction phase of development. An issue of significance is the extent of in-road cabling works and the associated impact to residents and farmers in the locality due to congestion and disruption. Concerns were also noted regarding the requirement for HDD along the road network and the associated impacts in terms of disruption. I note that comprehensive submissions from Third Parties have been received at application and appeal stage which document the condition of the local road network and have highlighted areas of concern due the current condition, width and alignment of the roads where cabling works are proposed. Third Parties have also raised traffic safety concerns, particularly at the junction of the N22 and the L2204, where it is their view that the potential for traffic conflicts would be exacerbated by the proposed development.

8.4.3. Within the initial report of the Planning Authority's Area Engineer, concerns were also highlighted regarding the potential impact of the proposed development on the local road network. Overall, they were not satisfied that all aspects of the construction phase had been adequately considered by the Applicant. Of note, they were of the view that the duration of the ducting works had been significantly underestimated, that the installation of the cabling, joint bays and HDD pits would require temporary road closures, that the details around the location of the joint bays was insufficient and that the road reinstatement proposals were inadequate. Amongst other items, these formed the basis of an FI request. In response to this request, the Applicant confirmed that:

- A total of c. 13.1km of underground 33kV cabling is proposed in the local road network. Duration of ducting works equates to c. 24 weeks and not the 10 weeks as originally indicated.
- The installation of the cabling should, generally, be feasible with single lane closures and a Stop/Go system in all roads where there is sufficient space in the public road. However, it was noted that temporary road closures may be required in some of the narrower roads where joint bays are to be installed and where HDD is proposed (3-5 days to install). A Proposed Diversion Routes drawing was enclosed with the FI response which presented potential diversion options for the L62031, L6203, L62030, L22012, L6207 and L6398.
- They would be happy to accept a planning condition regarding the road reinstatement requirements, the requirement to carry out a structural survey of the existing road bridges and to agree a methodology for the survey and then monitoring and possible reinstatement of any water table and roadside inlets.

Also included within the FI response were detailed drawings identifying the location and associated road widths of each joint bay. Whilst the Area Engineer noted in their second report on file that the construction phase will have a significant impact on the local road network, the Applicant's response was deemed to be acceptable and they were satisfied that permission should be granted, subject to compliance with a suite of conditions. I note that no further concerns regarding this aspect of the proposal were raised within any of the Planner's reports on file.

8.4.4. Given the geographic spread of the development across a number of land parcels and

the requirement for underground cabling within the surrounding road network, there is no doubt that some negative impacts will arise during the construction phase. I acknowledge that this may cause a nuisance to residents within the site's vicinity during the construction period. Notwithstanding this, the overall extent of road closures required is generally not significant given the estimated duration of the ducting works (i.e. 100m/day). Whilst it is confirmed in the Applicant's FI response that it takes c. 3-5 day to install the HDD, the concentration of local roads in the vicinity of the site ensures that the diversion routes will be relatively short. In my view, this aspect of the development would not warrant a refusal of permission, particularly in the context the temporary nature of the impacts and the pressing need to deliver renewable energy projects and achieve national climate targets which I have discussed in Section 8.1 of this report. These potential construction phase impacts can also be mitigated through adherence with a robust traffic management plan that could be implemented throughout this phase of development. It is therefore my view that the Applicant shall be required to prepare and submit for the written agreement of the Planning Authority, a detailed Construction Traffic Management Plan (CTMP) prepared by a suitably qualified transport engineer. This CTMP shall be agreed prior to the commencement of development and shall confirm where road closures and diversions are required and where it is intended to introduce a stop/go system. The CTMP shall also include a requirement to appoint a resident liaison or point of contact to ensure residents located along the local road network are informed of anticipated disruptions or other related matters. Whilst I acknowledge that there will be a noticeable increase in traffic volumes on the surrounding local road network during this phase of development, this increase and any associated impacts are temporary in nature and can be successfully managed and mitigated through adherence with a carefully developed CTMP. Subject to compliance with this condition, I am satisfied that the proposed development is acceptable from a traffic management perspective and should therefore be granted planning permission. Given the nature of the proposed development and that they are typically unmanned facilities, traffic associated with the operational phase is not considered to be an issue of concern given the limited number of trips that would be generated.

8.4.5. I note that a sightline appraisal has been provided in Section 8 of the Applicant's report and detailed sightline drawings have been included as an appendix (Appendix A).

Regard is given to TII Publication DN-GEO-03060 (Geometric Design of Junctions) and it is noted within the report that an 'X Distance' of 2.4m and a 'Y-Distance' of 90m has been adopted as the desirable visibility standard for the proposed site entrances on local roads. It should be clarified that where the consultant engineer refers to Table 5.7 of DN-GEO-03060, it should in fact refer to Table 5.5 which sets out the 'y' visibility distances from the minor roads. Whilst the Planning Authority's Area Engineer was satisfied that the proposed site entrances were acceptable, it is relevant to note that there are instances identified within the Applicant's sightline drawings where the desired 90m sightlines are not achieved. These include the entrances to Parcel 3 (operational and construction phase) and Parcel 4. In terms of Parcel 3, the existing site entrance can achieve a 70m sightline to the west and a 38m sightline to the east. However, I am satisfied that this arrangement is acceptable, given that it will not be used during the construction phase and that the operational phase will not result in an intensification of the entrance when considering the limited number of trips generated during this phase and that the existing agricultural use will cease. In terms of the construction entrance (Entrance 7), the submitted drawings identify a 70m visibility splay in both directions from the site entrance. I note that some vegetative clearance is required to the south of the proposed entrance to achieve the southern sightline. Whilst 70m sightlines have been identified, it would appear from reviewing the drawings that 90m sightlines can be achieved at this location. Notwithstanding this, given it is a new entrance and there is a level of ambiguity over the achievable sightlines, it is considered that specific traffic management measures for this entrance should be outlined in the CTMP. This should include the use of flagmen for all HGV deliveries to the site. A similar arrangement shall be put in place for Parcel 4, given that the submitted drawings also identify 70m sightlines in each direction from this existing entrance. Subject to compliance with this condition, I am satisfied that the proposed entrances are acceptable from a traffic safety perspective.

8.4.6. As mentioned above, a number of Third Party observers have raised concerns regarding the potential for traffic conflicts to arise at the junction of the N22 and the L2204. This is an unsignalised junction where a number of local roads join the N22 from the north and south. I note that neither TII nor the Planning Authority's Area Engineer have raised concerns regarding the use of this junction as part of the main

delivery route. Whilst I accept that the construction phase will result in an increase in the number of HGVs utilising this junction, a delivery booking and scheduling system is proposed to be implemented in order to streamline and manage the arrival/departure of construction vehicles over a working day. It is stated within the Applicant's report that the site manager will evaluate the daily profile of truck movements proposed for the upcoming week and schedule them to spread out over the day to prevent any potential overlap. Overall, I am satisfied that the proposed measures will effectively stagger site deliveries and will avoid undue pressure on this junction. It is considered that the final details of the delivery route and associated traffic management measures be confirmed in the finalised CTMP and agreed with the Planning Authority prior to the commencement of development.

8.5. Water

8.5.1. It is noted that there are a number of key hydrological features, including mapped EPA watercourses, that interact with the proposed solar farm site. These include the Cooldrum Stream which bisects the western edge of Parcel 3. The stream flows in a northerly direction, where it enters the Kame River and then ultimately discharges into the Inniscarra Reservoir/River Lee at a location to the south-east of Parcel 2. The Rathonane Stream adjoins the south-eastern and north-eastern boundaries of Parcel 4. This stream flows in a northerly direction and also enters the Kame River to the north. I note that Horizontal Directional Drilling (HDD) is also proposed at locations along the proposed interconnector route where it is necessary to cross 2 no. EPA designated streams (Nadrid and Aglish 19 (Lee (Cork)_080)). It is noted that the various land parcels are also bordered and bisected by a network of field drains, many of which ultimately drain to the above-mentioned watercourses.

8.5.2. The application was supported by an Aquatic Ecological Impact Assessment (EcIA) which sought to characterise watercourses potentially affected by the proposed development. This was done through a combination of desk and field survey. Fieldwork was conducted on 28th June and 13th August 2024, focusing on potentially affected watercourses, their proposed crossing points (where applicable) and the downstream Zone of Influence (ZoI). The following was noted in terms of the site's hydrological connectivity:

- Land Parcels 1, 2, 3 and 4 all ultimately drain to the Kame River and enter Inniscarra Reservoir (River Lee) just upstream of Rooves Bridge (R619),
- Whilst Parcel 2 borders Inniscarra Reservoir, it is stated that there is no direct hydrological connectivity as the site has a gently south-sloping topography and drains to the Kame River. There is a broad, mature woodland scarp (40m wide) separating Parcel 2 and the reservoir and it is stated that there were no direct preferential flow paths down the scarp from the proposed development land.
- The Nadrid Stream system is only relevant to the assessment because of two (2 no.) proposed HDD stream crossings (no instream works). It is confirmed that none of the parcels drain to this sub-catchment.
- Land Parcels 5 and 6 are very high in a sub-catchment of the River Bride, connected by small field boundary drains to the “Farran stream” (unmarked on OSI Discovery or EPA watercourse mapping) which ultimately joins the River Bride 2.5km downstream of Parcels 5 and 6. The River Bride then meets the River Lee 10.5km downstream at Ballincollig West.
- The proposed solar farm development lands are generally, gently rolling-to-flat with minor field boundary drains (inactive during summer) between the proposed land parcels and EPA delineated watercourses.

8.5.3. It is noted that that works that will interact with the key hydrological features include:

- 1 no. HDD cable crossing of the Kame River for Interconnector 2 (on the L6203 to the south-west of Parcel 2).
- 1 no. HDD cable crossing of the upper Rathonoane Stream for Interconnector 4 (on the L6207 to the south of Parcel 4).
- 2 no. HDD cable crossings of the upper Nadrid Stream system for Interconnector 2 (on the L2204 to the west of Parcels 5 and 6).
- 2 no. HDD cable crossings of the upper “Farran Stream” drains - Interconnectors 2 and 5 (i.e. north- south connection between Parcels 5 and 6).
- 2 no. dry-deck (clear span) crossings of the minor, upper “Farran Stream” drains forming site entrances from L2204 local road to Parcels 5 and 6.
- 1 no. dry-deck (clear span) crossing of a minor (ephemeral) drain in Parcel 1 (adjacent southern boundary of Parcel).
- 1 no. dry-deck (clear span) crossing of a minor (ephemeral) drain in Parcel 4

(north-eastern corner of Parcel).

Both at application and appeal stage, Third Party observers have raised concerns regarding the potential impact of the proposed development on water quality through ground and surface water contamination, impacts to onsite drainage due to the installation of the solar arrays and its associated infrastructure and the potential for flooding to arise as a result of the proposed development. Observers were also of the view that the proposed development could give rise to negative impacts on drinking water and adversely impact existing Group Water Schemes due to contamination. Hydrological related concerns are therefore addressed in the following sections.

Drainage & Flooding

8.5.4. Within their Site Access and Drainage Report, the Applicant's consulting engineer indicated that a surface water drainage strategy would be further developed and would be designed to mimic the existing natural drainage regime on site. It was noted that natural soakaways would be provided as an initial activity at construction stage and would be located at the lowest points of the sites. From a review of the application documents, it is evident that the proposed development will generally not require any alternations to the existing onsite drainage and the majority of the surfaces on site will be permeable, allowing rainwater to percolate directly to the ground. It is contended within the Applicant's report that the installation of solar PV arrays will not give rise to increased surface water runoff (volumes or rates) in an agricultural setting, a position they note is supported by both academic and industry testing of pre and post-panelled ground conditions. It is stated that academic research (see Appendix D of Planning Statement) advocates the establishment of well-maintained grass underneath erected panels promoting kinetic friction and the avoidance of bare-ground in adjacent spacer sections (areas between array rows). Therefore, 3 no. distinct design aspects have been incorporated to mitigate against surface water issues and include:

- Generous separation distances incorporated between the array rows to avoid blanket coverage of the site and the maintenance of normal ground conditions.
- Establishment of substantial buffer strips.
- The PV panels will sit on angled racks comprised of galvanized steel which will be screw or driven-piled following geotechnical assessment. The panels will be positioned at a tilt angle between 10-25 degrees from the horizontal which reduces/mitigates against any concentrated rainwater runoff from the panels

(compared with more pronounced angles sited closer to the ground surface) and the creation of natural conditions which allow seeded grass beneath panels to flourish and be maintained.

It is noted within the Applicant's report that the maintenance of grass underneath the panels is a critical component of scheme design as it preserves peak water runoff rates at optimal natural levels. It is also confirmed that part of the drainage strategy for the site will include routine inspection and maintenance of all site drains. Furthermore, any access tracks will be constructed using permeable materials, whereby any potential surface water will infiltrate to the ground naturally. As such, it is contended that frequency of discharge rates will be the equivalent of greenfield conditions, with no alteration to natural flow patterns.

8.5.5. This view is shared by the Planning Authority's Environment Department. In their report dated 13th January 2025, it was noted that the spacing between the individual panels will allow rainwater to fall on the ground beneath and will also ensure continuous grass cover, thereby allowing the same natural drainage regime within the lands to continue. It was also noted that the 10m buffer zone between solar panel arrays and drainage features provides a further protection to control runoff rates. Furthermore, the reduction in machinery traffic across the lands during the operational phase would help to minimize any compaction of the soil resulting in potentially improved rainfall infiltration rates. Notwithstanding this, an additional report from the Environment Department (dated 16th January 2025) requested the Applicant to submit a surface water management plan for the construction phase of the development by way of FI. In response to this FI request, a Surface Water Management Plan (SWMP) was included within the revised CEMP. I note that a suite of associated drainage drawings for each land parcel also accompanied the FI response. Within this SWMP, it is proposed to control surface water runoff from the proposed access roads and impermeable structures such as the inverter buildings and spare part containers within the site using infiltration based source control measures. Runoff generated from these surfaces will be collected and controlled at source using infiltration based systems with no off-site discharge to any existing field drains, streams or rivers within the site boundary. These measures include:

- Runoff from access roads, inverter / transformers and spare parts containers shall be collected and controlled using shallow grass swales with a minimum

depth of 0.3m.

- A 1m filter layer shall be constructed below the swales to allow infiltration to occur directly at source.
- Check dams shall be provided at 5m intervals where swale channel gradients are >1/30. A design slope of 1/30 is utilised to account for the impact of the check dams on steeper slopes.
- Runoff collected in the swales shall discharge into a settlement pond and then spill into a 1m deep infiltration trench. There is no off site discharge from the infiltration trench proposed.

It is confirmed that above measures will be complemented by silt fencing to be placed downslope of key works areas, the location of which have been identified on the accompanying drainage drawings.

8.5.6. In terms of the relevant policy and guidance, Section 13.8 of the Development Plan notes that the Council will assess the appropriateness of individual applications having regard to all other statutory requirements and guidelines, including similar development guidance internationally. In the absence of national planning guidelines for solar developments, the 'Planning guidance for the development of large scale ground mounted solar PV systems' BRE 2013 (referred to herein as the UK Guidance) is a document that is often consulted and is therefore relevant in this regard. On the issue of drainage, Section 2(n) (Drainage, Surface Water Run-off and Flooding) of the UK Guidance acknowledges that as solar PV panels drain to the existing ground, the impact will generally not be significant and therefore this should not be an onerous requirement. Furthermore, it states that where access tracks need to be provided, permeable tracks should be used, and localised SUDS, such as swales and infiltration trenches, should be incorporated to control any run-off where recommended. Given the temporary nature of solar PV farms, the policy states that sites should be configured or selected to avoid the need to impact on existing drainage systems and watercourses and culverting of existing watercourses/drainage ditches should be avoided. As discussed in the foregoing, appropriate spacing has been provided between the arrays to ensure that runoff will infiltrate naturally to ground. This spacing will also support the growth of vegetation beneath the panels and will allow rainwater to pass through the arrays and disperse and infiltrate evenly, thereby reducing the

potential for runoff. Overall, the extent of impervious services across the various land parcels is limited and relates only to the proposed inverter/transformer stations, ring main units and spare parts containers. Therefore, having regard to the nature of the proposed development, its layout and design and the suite of mitigation measures and drainage features outlined in the SWMP and the associated drawings, I am satisfied that the Applicant's proposals for onsite drainage, both during the construction and operational phases, are acceptable and will ensure that the existing hydrological regime of the site is not impacted. However, it is my view that a condition should be included which requires the Applicant to monitor the existing drainage network for blockages and other issues that could affect its functionality throughout the lifetime of the solar farm. Furthermore, it was noted within the Applicant's Planning Statement that a programme of grass reseeding and active management will be advanced alongside landscaping proposals to preserve peak water runoff rates at optimal natural levels. These measures should form part of a maintenance regime for the solar form and can be included as part of the maintenance and restoration plan that can be agreed with the Planning Authority prior to the commencement of development.

8.5.7. In terms of flood risk, it is noted within the Applicant's Site Access and Drainage Report that a Site Specific Flood Risk Assessment (SSFRA) had been prepared for the development and accompanied the application. Within their assessment however, the Planning Authority indicated that this document had not been submitted, and the Applicant was therefore requested to clarify this matter by way of FI. Within their response, the Applicant confirmed that the reference to the SSFRA was in error and they referred to their analysis in the P & E Statement which purports that there is no risk of flooding on the proposed solar farm site. This was accepted by the Planning Authority, and no concerns were raised on the grounds of flood risk. I also note that there were no flooding related issues raised by the Area Engineer. Whilst the application has not been supported by an SSFRA, the issue of flooding is briefly addressed in the Applicant's P & E Statement as discussed above. It is confirmed that there is only one section of the proposed development located in an area of flood risk. This relates to the underground 33kV interconnector cabling where it is proposed to cross under an existing watercourse along the L6208. As per the submitted plans, it is stated that the interconnector cable will cross the watercourse via HDD and there will be no interference with the stream in question. It is confirmed that all subsurface

cabling will be designed and installed in line with industry standards and there will be no resulting flood impact, either on or as a result of the proposed underground cabling.

8.5.8. Having consulted the available flood mapping (CFRAM Flood Extents, National Indicative Flood Mapping and Cork County Development Plan), it was evident that all land parcels fall outside any designated flood zone (i.e. Flood Zone A, B or NIFM mapping). I also note that there is no history of recorded past flood events in the surrounding area (as per floodinfo.ie). Third Party observers have highlighted that existing flooding occurs on local roads, and it is their view that flooding will only be exacerbated by the proposed development. As per Section 9.3 (Drainage at Site Entrances) of the Site Access and Drainage Report, it is confirmed that no surface water from the proposed site entrances will be allowed to drain onto the local roads. This will be achieved by the provision of a linear drainage system, within the site lands, which will run parallel to the public road at the site entrances and will be designed to intercept any surface water at site entrances and direct such surface water to soakaways located within the site lands (as per Drawing No. 2024-07-06.dwg). I note that the majority of the site consists of agricultural/permeable ground which provides varying degrees of infiltration. As discussed above, the proposed development will not increase the rate of discharge from the current pre-development runoff rates as there are limited areas of hard standing associated with the development. Furthermore, developments of this nature can have several benefits regarding runoff rates. In the absence of typical farming activity, the fields are no longer ploughed or furrowed during the lifetime of solar farm. In the case of arable fields, they will no longer be left without vegetation cover during the winter months or regularly traversed by heavy machinery. These farming activities are known to considerably increase the rate of water runoff from a site and have the potential to also increase downstream flood risk in terms of water flow rates and silt production. I note that the absence of more intensive farming activity will reduce soil compaction, allowing soils to become naturally aerated over time which should improve the soils water acceptance potential and will serve to reduce the potential for overland flows to develop. Whilst the Appellant concerns are acknowledged, I am satisfied that the proposed development can have a positive effect on the surface water conditions onsite and can reduce the total flow compared to its pre-development (greenfield) equivalent. Therefore, having regard to the location

of the various land parcels within Flood Zone C, the water compatible nature of the proposed development which will not impede infiltration, the proposed installation method which will minimise impacts on drainage patterns (i.e. screw or pile driven), the sustainable drainage systems incorporated into the development's design which would reduce surface water runoff and the proposed mitigation measures outlined within the Site Access and Drainage Report and SWMP, it is considered that the proposed development would not increase the risk of flooding either on site or elsewhere downstream. The proposed development is therefore acceptable in my view.

Impacts to Water Supply/Quality

8.5.9. An issue raised in a number of Third Party observations was the potential impact of the proposed development on domestic water supplies through groundwater contamination. An observer highlighted the proximity of the proposed development to the Farran Group Water Scheme, and concerns were raised than many residents could be adversely impacted should this water resource be polluted. Other observers raised concerns regarding the potential for chemical contamination of private domestic wells due to the cleaning of the solar panels. It is noted within the Development Plan that the catchment area around a groundwater source, which contributes water (Zone of Contribution (ZoC)) to a borehole or spring, is known as a Source Protection Zone. Having examined the EPA and GSI mapping for the site and surrounding area, it is evident that a portion of Parcel 5 is partially located within the delineated Source Protection Zone for the Faran Group Water Scheme (NFGWS Group Scheme Source Protection Area). In order to protect groundwater quality, I note that it is a specific policy of the Development Plan (WM 11-4) for new developments to have regard to any Groundwater Protection Scheme and/or Groundwater Protection Zones in place. Whilst the extent of infrastructure is limited within this portion of the site, I accept that the ZoC will likely fluctuate over time depending on demand, rainfall etc. and the simple omission of a portion of the development from a historically mapped ZoC will not remove all risks associated with the proposed works. Furthermore, I am conscious of the mapped groundwater vulnerability of Parcel 5, being underlain by 'High' vulnerability where there are inevitably higher risks of groundwater contamination by human activities.

8.5.10. Notwithstanding the foregoing, the existence of the ZoC in of itself does not preclude the development of a site. I am conscious of the scale of earthworks that are required for developments of this nature. It is outlined that the installation of the panels will use a simple, ground-mounted system that avoids undue ground disturbance. This method does not typically require the excavation of soils as the support poles are generally screw or pile driven into the ground. Furthermore, the laying of cables from the panels to the transformer stations will require the excavation of narrow trenches to a maximum depth of 0.7m. Cables which are laid within the access tracks will be to a maximum depth of c. 1.2m. In addition, detailed mitigation measures have been set out in the Aquatic EcIA, Construction and Environmental Management Plan (CEMP) , SWMP and the Applicant's Green & Blue Infrastructure Statement which have been designed to protect surface and groundwater quality (see further discussion below). Having regard to the overall footprint of the development within Parcel 5 which partially overlaps the Faran Source Protection Area, the requirement for minimal earthworks across the entire site and the various mitigation measures that will be employed to protect surface and groundwater quality, I am satisfied that it has been adequately demonstrated that the proposed development shall not pose an unacceptable risk to the existing Group Water Scheme or private water supplies (i.e. domestic wells) in the surrounding area. It is therefore considered that the Applicant's proposals are in accordance with relevant policy of the Development Plan (Objectives WM 11-3 & WM 11-4) that seek to protect groundwater quality. The proposals are therefore acceptable in my view. However, it is my view that a condition should be included which requires the solar panels to be fixed in place by way of driven pile or screw pile foundations only, unless otherwise agreed with the Planning Authority. Furthermore, a condition shall stipulate that the solar panels shall be cleaned with water only, and the use of chemical products shall be prohibited.

Water Framework Directive and Surface & Groundwater Quality

8.5.11. A number of Third Party observers have raised concerns regarding the potential impact of the proposed development on water quality in the area, a concern that was also echoed in a number of Third Party submissions at application stage. The appeal site is located entirely within the Lee, Cork Harbour and Youghal Bay WFD Catchment (Catchment_ID: 19). Parcels 1-4 are located within the Lee [Cork]_SC_030 subcatchment (Subcatchment_ID: 19_6) and Parcels 5 & 6 are located within the Lee

[Cork]_SC_050 subcatchment (Subcatchment_ID: 19_9). As discussed, the key hydrological features that interact with the various land parcels and underground cabling include the Cooldrum, Rathonoane, Nadrid and Aglish Streams and the Kame River and River Bride. The current EPA assigned waterbody status (2019 - 2024) for relevant receiving waterbodies is identified in the below table.

Table: Current EPA assigned waterbody status.

EPA Waterbody name and code	Name	EPA assigned Waterbody Status (2019-2024)	EPA Identified Risk
Lee (Cork)_070 IE_SW_19L030500	Kame	Good	Not at Risk
	Cooldrum		
	Rathonoane		
Lee (Cork)_080 IE_SW_19L030600	Nadrid	Good	Not at Risk
	Aglish 19		
Bride (Lee)_040 IE_SW_19B041300	Unnamed drainage ditches	Moderate	At Risk

8.5.12. As discussed above, many of the watercourses discharge into the Inniscarra Reservoir (Lake Water Body code: IE_SW_19_138). This is classified as a heavily modified waterbody (HMWB) for the purpose of power generation and abstraction for drinking water (EPA, 2023, 2024). As per the most recent monitoring period (GW 2019-2024), the status of the lake waterbody was 'good', and it is identified as being 'not at risk' of not meeting the WFD's 'good' status objective. In terms of groundwater, the appeal site is underlain by a single Groundwater Body (GWB), being the Ballinhassig East GWB. As per the most recent monitoring period (GW 2019-2024), the current status of the Ballinhassig East GWB is 'good' and it is identified as being 'not at risk' of not meeting the WFD's 'good' status objective. The site sits above a Locally Important Aquifer and the various land parcels are underlain by a mosaic of 'high', 'extreme', and 'Rock at or near Surface or Karst' vulnerability.

8.5.13. The Applicant's Aquatic EcIA identifies the various potential impacts of the development which predominantly relate to the construction phase of development. Potential impacts during this phase include the release of suspended sediments, cement loss, hydrocarbon loss and potential impacts associated with the HDD watercourse crossings and the installation of the dry-deck stream/drain crossings. Notwithstanding this, a detailed suite of mitigation measures have been prescribed in the CEMP, SWMP and the Aquatic EcIA (Section 5.1.1) for the construction,

operational and decommissioning phases of the development. The measures include the use of buffer zones from watercourses, swales, check dams, silt fences and avoidance of instream works etc. As discussed, soil disturbance across the site will be minimised as the foundations for the solar arrays will be installed using steel driven piles. Furthermore, excavations will be limited to the 0.7-1.2m deep trenches for the laying of cables. In terms of the operational phase, it is noted that the proposed development will result in a change of land-use at the site from predominantly productive agriculture to a solar PV Farm, thereby reducing the potential for fertilisers and pesticides entering into the nearby watercourses. As I have discussed at length, the solar arrays have been designed to minimise the effect on the infiltration pattern of the site, whereby the spacing will support the growth of vegetation beneath the panels and will allow rainwater to pass through the arrays and disperse and infiltrate evenly, thereby reducing the potential for concentrated flows that could cause soil erosion. In addition, it is stated that the 10m buffers will be enhanced through management as tussocky grassland with perennial grasses and wildflowers. Furthermore, the proposed hedgerow planting and the bolstering of existing hedgerows can enhance the filtering function and on-site nutrient and sediment attenuation, helping to protect receiving watercourses. Having regard to the nature of the proposed works, which require minimal soil disturbance, the mitigation measures that will be employed during the construction, operational and decommissioning phases as outlined in the CEMP, Aquatic EcIA and SWMP, I am satisfied that any downstream receptors will not be adversely impacted by the proposed development.

8.5.14. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD, which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface, lake and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- The nature and extent of the proposed development which entails minimal excavations (i.e. pile driven foundations and shallow trenches).
- The mitigation measures to be employed during the construction and

decommissioning phases,

- The provision of SuDS measures, i.e. natural infiltration between the solar arrays, the planting of a native grassland habitat and permeable surface for the access tracks which will result in road surfaces filtering any sediment-laden surface waters prior to soakage to groundwater,
- The suite of mitigation measures included within the Aquatic EcIA, SWMP and the CEMP.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment. (See Appendix 4 for WFD Screening Matrix).

8.6. Biodiversity

8.6.1. This section concerns general biodiversity and in particular, the potential for impacts on habitats and species which are not qualifying interests of any European Site. It is noted that an Ecological Impact Assessment (EcIA) was submitted with the application. As discussed in the preceding section, an Aquatic EcIA also accompanied the application. I note that concerns regarding the potential impact of the proposed development on ecology and biodiversity have been raised by a number of Third Party observers. Similar issues were raised by observers at application stage. I note that the Planning Authority's Ecologist was of the initial view that there was insufficient information on file to carry out an assessment of the potential impacts on species and habitats of high ecological value. Further Information was therefore requested by the Planning Authority which included a requirement to undertake additional ornithological surveys, additional bat surveys, additional badger surveys, clarify if the provision of deck crossings required the removal of riparian/treeline/hedgerow habitats, submission of revised proposal to avoid impacts on trees and treelines / hedgerows habitats, submission of an operational Habitat / Biodiversity Management Plan and the submission of proposals to address concerns regarding invasive species. Following the submission of the FI response, no objections on ecological grounds were raised by the Planning Authority and this aspect of the development was therefore deemed to be acceptable, subject to compliance with conditions.

Habitats

8.6.2. In terms of habitats on site, detailed habitat mapping is provided within Figure 3-3 to 3-5 of the Applicant's EcIA and it is noted that habitat surveys were undertaken during March and July 2024. A survey for invasive species was also conducted during the habitat and botanical survey undertaken on the 8th and 10th July 2024. Improved Agricultural Grassland (GA1) is the dominant habitat within the proposed solar farm site and is associated with ongoing livestock farming practices. This improved grassland is also fringed by linear woodland habitats and drainage channels. No rare or protected flora species protected under the Flora Protection Order (2022) or listed in Annex II and IV of the EU Habitats Directive (92/43/ECC) were recorded during the site surveys. Invasive plant species recorded within the proposed site were limited to Rhododendron, which is present at the north of Parcel 4. In terms of the dominant habitat across the various land parcels (GA1), it is confirmed within the EcIA that this habitat is of low ecological value for flora, habitats and non-volant mammals and comprises poor floristic diversity. It was therefore an ecological value of local importance (lower value). A summary of the various habitats within the study area is provided within Table 3.3 of EcIA. I have included the Key Ecological Receptors (KERs) that have been brought forward for further assessment in the below table. In addition, the potential impacts of the proposed development on each habitat have been identified.

Table: Identification of KERs

Habitat	Rationale	Potential Impact
Hedgerows WL1	Local importance (higher value). Linear woodland habitats such as hedgerows and treelines provide valuable ecosystem services for other semi-natural habitats and faunal species in the locality in terms of cover, refuge and connectivity.	It is estimated that approximately 86 linear metres of hedgerow and 2 no. mature trees will be removed to accommodate the site access, access tracks and underground cabling. Trees within the site may offer nesting opportunities for breeding bird species. In the absence of mitigation this work is likely to impact upon breeding birds, through disturbance, injury or loss of potential nesting site. However, the following enhancement measures have been included within the project design: - C.22,296 linear metres of existing hedgerows/treelines will be
Treelines WL2	Local importance (higher value). Linear woodland habitats such as hedgerows and treelines provide valuable ecosystem services for other semi-natural habitats and faunal species in the locality in terms of cover, refuge and connectivity.	
Earth banks (BL2)	The earth banks at the proposed site are variable in their vegetative	

	composition, generally support occasional shrub and tree species and are not of botanical importance. Nonetheless, they do provide connectivity in the landscape and provide habitat for avifauna and small mammals and are considered to be of Local Importance (Higher Value).	enhanced as required to fill gaps throughout the site. - C.872 linear metres of new hedgerow comprising native species will be planted along the site boundary. - All hedgerow planting will comprise native species from native stock. - Field margins will be planted and/or managed in accordance with the BRIDE project EIP techniques.
Drainage ditches FW4	Local importance (higher value). Drainage ditches at the proposed site are not of fisheries value and do not support a diverse flora. However, they provide connectivity in the landscape and are considered to be of local importance to avifauna, common frog and small mammals as a viable foraging habitat and localised refuge.	There is potential for export of sediments and other pollutants such as hydrocarbons to drainage ditches during the construction phase to result in a reduction in water quality locally. If this were to occur, it may potentially result in a short term significant adverse effect at the local level.
Depositing/lowland rivers FW2 and Inniscarra Reservoir	As detailed in the Aquatic EcIA, Kame River main channel in its lower reaches supports good trout spawning and nursery habitat with reasonably natural hydromorphology. Its tributaries (Cooldrum and Rathonoane) comprise fair to good trout spawning and nursery habitats. County Importance. Nadrid Stream and its tributary (crossed by the grid connection) are a small system with some potential salmonid habitat in the lower reaches, but no salmonid potential at the proposed upper sub-catchment HDD crossing locations. Local Importance (Lower Value). Inniscarra Reservoir is a large water body with good water quality, a well-known coarse fishery and high amenity value (angling, rowing, swimming) and is of County Importance.	As discussed in Section 8.5 of this Report, potential impacts predominantly relate to the construction phase of development and include the release of suspended sediments, cement loss, hydrocarbon loss and potential impacts associated with the HDD watercourse crossings and the installation of the dry-deck stream/drain crossings.
Wet Oak-Ash woodland (WN4)	Local importance (higher value). Woodland provides suitable habitat for avifauna, bats and ground mammals and can also provide valuable ecosystem services for other semi-natural habitats and faunal species in the locality in terms of cover, refuge and connectivity.	Oak-Ash woodland is present at the north of Parcel 2 and the east of Parcel 4. This habitat is located outside of the solar panel array footprint and will be fenced off and excluded from grazing. The landscaping plan includes for bolstering of this habitat with native species as required. No significant adverse effects anticipated.
Mixed broadleaved/ conifer woodland (WD2)	Local importance (higher value). While this habitat is not semi-natural, woodland provides suitable habitat for avifauna, bats and ground mammals and can also	Mixed woodland is present in small parcels within Parcels 1 and 3. No works are proposed within this habitat and these areas will be fenced off from the footprint of the development. No significant adverse effects

	provide valuable ecosystem services for other seminatural habitats and faunal species in the locality in terms of cover, refuge and connectivity.	anticipated.
Mixed conifer woodland (WD3)	Local importance (lower value). This habitat is dominated by non-native species and would provide limited habitat for avifauna, bats and ground mammals. However, this habitat is present at the site boundary and would provide connectivity within the landscape.	This habitat is present on the boundary of Parcel 3. No removal of this habitat is proposed, and this area of linear woodland will be enhanced with native species as required. No significant adverse effects anticipated.
Scrub (WS1)	Local importance (higher value). Two areas of mature scrub that would provide suitable habitat for avifauna, bats and ground mammals and can also provide valuable ecosystem services for other semi-natural habitats and faunal species in the locality in terms of cover, refuge and connectivity.	Two areas of mature scrub are present within Parcel 2. No works are proposed within this habitat, and these areas will be fenced off from the footprint of the development. No significant adverse effects anticipated.

8.6.3. It is noted that there are no significant impacts on habitats anticipated either during the operational or decommissioning phases of the proposed development. In terms mitigation, measures proposed for the protection of aquatic habitats, including active drainage ditches, are outlined in Applicant's Aquatic EclA which I have addressed in Section 8.5 of this Report. Overall, I am satisfied that that implementation of these measures will ensure that significant adverse impacts on these aquatic habitats will not arise as a result of the proposed development. For the earth bank, hedgerow and treeline habitats, it is anticipated that the proposed landscaping plan will result in a net gain in hedgerow habitat at the proposed site in the medium to long term. However, in order to protect the retained hedgerow habitat during the construction phase, an Ecological Clerk of Works (ECoW) will monitor the construction of access tracks and/or cable trenches located in proximity to hedgerows/trees. In the event that any RPZs are identified, compensatory measures shall be adopted as per the construction phase CEMP. As part of ongoing monitoring and maintenance measures, it is also proposed that a hedgerow/tree condition survey will be undertaken by a qualified arboriculturist three years post-construction to identify any signs of decline or decay. The arboriculturist will then make recommendations towards any further management measures.

8.6.4. It is noted that the proposed development will require minimal tree (2 no. trees)

hedgerow (86m) loss which is necessary to provide access between the various fields. The Application is supported by a Biodiversity Management Plan (BMP) included within Appendix C of the EcIA. As mentioned above, this includes the bolstering of c. 22,296m linear metres of existing hedgerows/treelines and the provision of c. 872m of new hedgerow planting which successfully mitigate this loss and will have a positive impact in the medium to long term. Having regard to the overall layout of the proposed solar farm which has been designed to avoid all higher value habitats, the minimal loss of hedgerow habitats, the incorporation of the mitigation measures proposed within the EcIA and the implementation of the various ecological enhancement measures as detailed in the BMP, I am satisfied that the proposed development will not have significant impacts on existing habitats within the site and the proposed development is therefore acceptable in my view.

8.6.5. As mentioned above, invasive plant species recorded within the site were limited to Rhododendron, which is present at the north of Parcel 4. It is also noted that Rhododendron was recorded to the south of Parcel (outside of the site boundary), along with Giant Rhubarb (Gunnera tinctoria) and American Skunk Cabbage (Lysichiton americanus). Concerns were raised by Third Party Observers regarding the potential for increased disturbance and the possible introduction and spread of invasive species as a result of the proposed development. As part of the Applicant's FI response, an Invasive Species Management Plan (ISMP) was submitted which the Planning Authority's Ecologist deemed to be appropriate. Subject to compliance with the treatment schedule prescribed in the ISMP, I am satisfied that will not result in the introduction or spread of invasive species within the site or surrounding area.

Fauna

Badger:

8.6.6. It is noted that badger were identified as a KER within the EcIA and were attributed an ecological value of local importance (higher value). In response to concerns by Third Party observers regarding the presence of potential badger setts within and proximate to Parcel 6, further dedicated badger surveys were completed between February and April 2025, comprising a visual survey plus the use of camera traps. The EcIA confirmed that there is suitable habitat for this species within field boundaries and the

small parcels of scrub and woodland within the various land parcels and the site likely forms part of the foraging territory of the local badger population. However, there was no evidence that badgers currently utilise the proposed site as a breeding or resting place. The following points were noted in the EcIA.

- Old disused setts were recorded adjacent to the northern boundary of Parcel 2. Mammal tracks and old setts are present on the northern boundary of Parcel 4 and a badger dropping was recorded in Parcel 4.
- No evidence of recent badger activity was recorded at any of the disused setts in Parcel 2 and Parcel 4 during the badger survey conducted in 2025.
- No badger were recorded entering an old badger sett on the northern boundary of Parcel 4 on the camera trap recording at this location between 28th February 2025 and 29th April 2025. Activity at the sett was limited to occasional fox and rabbit.
- Extensive rabbit activity is present across the boundaries of Parcel 6. Some of the excavation on the eastern boundary of Parcel 6 has left a large entrance into the hedge bank, the characteristics of which were consistent with use by rabbit or potentially fox. Camera trap monitoring at this location in April/May 2025 recorded a fox entering and exiting the mammal hole on one occasion. A single badger was recorded walking past the monitor, however no badger were recorded entering the mammal hole.

Whilst no badger setts were recorded within the site, it is acknowledged within the EcIA that badgers create new setts regularly, and the use of the site by badger for foraging and new sett excavation cannot be discounted. Therefore, there is potential for disturbance to badgers during the construction works. In the absence of mitigation, the construction phase has the potential to temporarily affect badger if present. To mitigate this impact, it is confirmed that a pre-construction survey of the site will be undertaken prior to the commencement of construction to re-confirm the finding of this ecological assessment and to identify potential active badger setts occurring within the site. Should badger setts being identified within proximity to the proposed works area, the mitigation measures (Section 5.1.3.5 of EcIA) will be employed to ensure that no disturbance of the local badger population during this phase will arise. I note that there is also the potential for fencing at the site perimeter to exclude badger from part of their foraging area during the operational phase. However, the project design includes

300mm x 300mm gaps every 100m at the base of the security fence. I also note that the Department of Housing, Local Government and Heritage (i.e. NPWS) have recommended that this gap should be left around the entire base of the fence and there should be suitably designed larger gaps or gates periodically at suitable intervals along the security fencing. In addition, there is a recommendation that the gap between the hedgerows and the fence line should be increased to a minimum of 3m. For security purposes, a gap of 200mm between the base of the fence is more appropriate in my view. Subject to compliance with these design measures, I would agree with the consultant Ecologist that no significant adverse effects on badger are likely to arise during the operational phase of the development.

Bats:

8.6.7. I note that Third Party Observers have raised concerns regarding the potential impact of the proposed development on bats, their roosting habitat and the overall adequacy of the mitigation and monitoring measures proposed. As part of the Planning Authority's FI, the Applicant was requested to undertake additional activity surveys and bat activity monitoring was therefore conducted covering the spring season. In terms of the Applicant's preliminary roost assessment, it was noted that trees within the site were surveyed in conjunction with the site walkover for potential roost sites and signs of bats. A detailed inspection of the exterior of trees was undertaken to look for features that bats could use for roosting (Potential Roost Features, or PRFs) from ground level. It is confirmed that all trees, or groups of trees, surveyed were numbered and marked on a map and a description of each PRF observed was recorded. Whilst there are no structures within the proposed site, an old dwelling to the south of Parcel 2 was surveyed on 5th May 2025 for potential roost sites and signs of bats. A dusk survey (Emergence Roost Survey) of the disused dwelling was undertaken to watch and listen for bats exiting bat roosts to determine the presence or absence of bats at the time of survey. Passive monitoring was completed across the various land parcels between 29th April 2025 and 5th May 2025. The location of the passive monitors is illustrated in Figure 2-1 of the EcIA and the detectors were set to record from c. 30 minutes before sunset until sunrise over 5 nights.

8.6.8. The results of the site walkover indicate that the site comprises agricultural fields

bound by hedgerows, treelines, occasional drainage ditches and watercourses. These linear features connect the proposed site to suitable bat foraging areas in the wider landscape, and these commuting and foraging habitats are considered to be of moderate to high suitability for bats. It is confirmed that no potential roosting features were recorded within any trees at the proposed site. However, there is potential for hidden roosting features to be present in some of the more mature trees within the field boundaries. It is noted that the passive monitors deployed at the site in April/May 2025 recorded eight species of bat, namely common pipistrelle, soprano pipistrelle, Leisler's bat, brown long-eared bat, Natterer's bat, whiskered bat, Daubenton's bat and lesser horseshoe bat. Overall, a high diversity of bats was recorded across the site and the number of bat passes per night recorded on the passive monitors is summarised in Table 3-7 of the EcIA. It is also confirmed that recorded emerging from the disused building during the emergence survey conducted on 5th May 2025.

8.6.9. The potential impact during the various phases of development and the proposed mitigation is summarised in the below table.

Potential Impact	**Mitigation**
Construction Phase	
The proposal includes the removal of 2 no. trees at the entrance to Parcel's 5 & 6. However, it is confirmed that were no potential roosting features were recorded within trees at the proposed site. Applying the precautionary principle, it is assumed that there is potential for loss of potential roosting features for bats as a result of the removal of hedgerow habitat during the construction phase. Eight (8) no. species of bat commute and forage at the site, with a high level of activity and diversity of species recorded in Parcel 2, Parcel 3 and Parcel 4. The proposed development will require the removal of 2 no. 6m sections of hedgerow in Parcel 2 and 3 no. 5m sections and 1 no. 6m section of hedgerow in Parcel 4, no hedgerow will be removed in Parcel 3. Small sections of hedgerow will also require removal within land parcels with lower levels of recorded bat activity. As outlined in the BMP (Appendix C of EcIA), the site's landscaping plan will enhance and increase hedgerow and treeline networks across the proposed site, providing greater foraging and commuting habitat and improving ecological connectivity. Further, there is an	*Potential Roosting Habitat* PRF inspection/presence absence surveys of all trees scheduled for felling shall be undertaken. Following this examination, should any of the trees be identified as a bat roost then a derogation licence application will be made to the NPWS to exclude the bats and fell the tree. Where bats are recorded roosting in the trees scheduled for felling, the following mitigation will be required: - Timing: tree-felling of any trees identified as having bat roost potential can be undertaken from late August to late October/early November and all works should ideally be undertaken in this period. - Trees to be felled under the supervision of the bat specialist (as identified during the pre-construction survey) will be examined and where bats are found, they will be translocated to an area where bat boxes will already be installed on appropriate trees within the proposed site. *Lighting*

extensive network of hedgerows in the wider landscape and the majority of hedgerows and treelines at the proposed site will remain in place. Overall, it is contended that the removal of small sections of hedgerow/ treeline during construction may result in a temporary to short-term slight, but not significant, effects on bats. Artificial lighting at night may have an adverse effect on foraging bats as light-averse bats may be repelled from lit areas and restrict their use of commuting or feeding space. In the absence of mitigation, disturbance of bats due to lighting used during the construction phase, should it be required, would have an indirect, significant negative effect at the local level.	To minimise disturbance to bats and other fauna that are active at night, construction operations during the hours of darkness will be kept to a minimum. If construction lighting is required during the bat activity period (April to September), lighting shall be directed away from all known roosts and woodland habitats to be retained. This can be achieved by using directional lighting (i.e. lighting which only shines on the proposed works and not nearby countryside) to prevent overspill. This shall be achieved by the design of the luminaire and by using accessories such as hoods, cowls, louvres and shields to direct the light to the intended area only.
Applying the precautionary principle, it is assumed that there is potential for an adverse effect on foraging bats during the operational phase as a result of a reduction in foraging habitat quality. However, the enhancement of c.22,296m of hedgerow and the provision of 872m of new hedgerow, to comprise native species from native stock plus provision of field margins and biodiversity enhancement zones which will allow flowering species from the existing seed bank in the soil to grow. With the successful implementation of the proposed landscaping plan, it is expected that bat foraging habitat quality within the site will be maintained and enhanced in the medium to long-term. Overall, it is anticipated that there may be a minor initial effect on foraging bats during the operational phase, however, as the landscape planting matures, the effect of the development on foraging bats is likely to be neutral in the medium to long. It is confirmed that no lighting is required for the operational phase of the proposed development.	Monitoring will be completed to compare pre-construction baseline data to operational phase data. A minimum of 11 monitoring stations will be established at suitable locations within the proposed site. Baseline data will be gathered during the bat activity season prior to the commencement of any construction works, and operational phase monitoring will be repeated at the same locations in years 1, 2 and 3 post-construction. Annual operational phase monitoring reports will be submitted to Cork County Council.

8.6.10. It is acknowledged that there is potential for disturbance to local fauna during decommissioning. However, in view of the expected characteristics of the decommissioning phase, these impacts would be temporary and are not expected to result in a significant adverse effect on local populations of fauna. Whilst mitigation measures have been proposed in the event that PRFs are discovered during the pre-commencement survey, it is confirmed that the proposed development only requires the removal of 2 no. trees to facilitate access to Parcels 5 & 6. I note that were no potential roosting features recorded within the trees at the proposed site. Therefore, I am satisfied that significant effects on bats as a result of habitat loss will not arise. Furthermore, it is considered that the limited removal of hedgerows (86m) across the

site to facilitate access will not result in a significant loss of foraging/commuting habitat for bats given both the extensive network of hedgerows and treelines in the wider landscape and the Applicant's landscaping proposals in the form of additional hedgerow planting. Overall, I am satisfied that adherence with the mitigation measures will ensure that significant impacts on bats will not arise in any phase of the proposed development. However, it is my view that condition should be included which fully restricts the installation or operation of external artificial lighting on site. The proposed development is therefore considered to be acceptable in my view.

Other Fauna:

8.6.11. It is confirmed that no amphibians or reptiles were recorded during the site walkover survey. It is noted that most of the site is unsuitable for amphibians given its lack of standing water and waterlogged habitats. However, it was acknowledged that seasonally wet areas of ground within Parcel 2 and some of the more sluggish areas of drainage ditches present within Parcel 4, Parcel 5 and Parcel 6 may provide suitable breeding habitat and refugia for common frog (Rana temporaria). New hedgerow planting, hedgerow enhancement and provision of grass buffer strips at field margins will minimise the risk of adverse impacts on water quality within the drainage ditches. Nonetheless, there is potential for the export of sediments and other pollutants such as hydrocarbons to drainage ditches during the construction phase to result in a reduction in water quality locally. If this were to occur, it may potentially result in a short-term adverse effect on common frog, which would be significant at the local level. As discussed in Section 8.5 of this Report, mitigation measures have been set out within the Aquatic EcIA and will be employed on site to protect surface water quality. I note that no significant impacts on amphibians have been identified during the operational phase.

8.6.12. In the case of Otter, no evidence of this species was recorded during the site survey. In addition, the small streams draining the proposed site are unlikely to provide a sustained foraging resource for this species. Notwithstanding this, it is acknowledged within the EcIA that there is potential for otter to utilise these streams occasionally to forage and commute through the landscape. Inniscarra Reservoir also provides suitable habitat for foraging and commuting otter, and it is likely that otter forage and

commute along the reservoir adjacent to the proposed site. The potential for temporary visual and noise disturbance to otters within Inniscarra Reservoir in the vicinity of the site during construction cannot be ruled out. Notwithstanding this, otter are predominantly crepuscular in nature and it is considered that the daytime construction activities will minimise potential disturbance related impacts to this species. Furthermore, the proposed development will retain riparian areas along the watercourses and will not result in inhibition of access by otter.

8.6.13. I note that here is potential for construction works to result in the run-off of silt and other pollutants such as hydrocarbons and cementitious material into watercourses downstream of the proposed solar farm site. This has the potential to impact this species, in particular in relation to fish biomass availability, for example a degradation in water quality could impact on prey resource for otter. However, any reduction in water quality is likely to be short term and localised. I would concur with the consultant Ecologist that the high mobility and large foraging range of otter means that they are likely to be able to accommodate such localised temporary changes in prey distribution and abundance. In addition, I have had regard to the suite of mitigation measures included within the Aquatic EcIA which are designed to protect water quality. For these reasons, I am satisfied that significant impacts on Otter will not arise as a result of the proposed development.

8.6.14. The EcIA notes that there is potential for red squirrel to utilise the small parcels of woodland and treelines within the proposed site and red squirrel has been observed within Parcel 4. However, no squirrel dreys were recorded at the proposed site during the site survey. Hedgehog were last recorded in 2023 to the west of Parcel 4 (NBDC records). Whilst, no evidence of hedgehog was recorded during the site survey, it is acknowledged that there is potential for this species to utilise the hedgerows, treelines, woodland and scrub present at the site. The NBDC also hold records of Sika deer and Fallow deer from the 10km OS grid squares within which the site is located (W47 and W46). However, no evidence of deer was recorded during the site surveys. It was determined within the EcIA that the site is of low suitability as a sustained resource for other mammal species, including deer.

8.6.15. In the case of Hedgehog and Red Squirrel, there is potential for these species to utilise

the hedgerows, treelines scrub and woodland parcels at the proposed site and its immediate environs. However, it is noted that the site's landscaping proposals will enhance and increase hedgerow and treeline networks at the site, providing greater foraging and commuting habitat and improving ecological connectivity. Furthermore, there is an extensive network of hedgerows within the wider landscape and the majority of hedgerows and treelines at the proposed site will remain in place. Therefore, the removal of small sections of hedgerow/ treeline will not result in a significant loss of foraging/ commuting habitat for hedgehog or red squirrel and will not have a significant effect on this species. However, it is acknowledged that there is potential for fencing of the site boundary to create a barrier to the movement of hedgehog through the landscape. As discussed above, the project design includes 300mm x 300mm gaps at the base of the security fence at 100m distances for mammal access. I also note the recommendations of the NPWS which I have touched on above. Having regard to the limited extent of hedgerow removal and the incorporation of these features into the project design, I am satisfied that no significant adverse effects on these species are likely to arise during the construction and operational phases of the development. Whilst there is potential for disturbance to local fauna during decommissioning, these impacts would be temporary and are not expected to result in a significant adverse effect on local populations of fauna.

Avifauna

8.6.16. Third Party observers have raised concerns with respect to the potential impact of the proposed development on avian receptors and the overall adequacy of the Applicant's assessment. As mentioned, the Planning Authority's Ecologist requested the Applicant to undertake dedicated winter bird surveys during the core wintering period and further breeding bird surveys between April and June. As part of the Applicant's FI response, it was confirmed that a late wintering/early breeding bird survey was undertaken on 28th March 2024 and breeding bird surveys were undertaken on 8th July 2024 and 10th July 2024. Furthermore, winter bird surveys were undertaken on 27th and 28th February 2025 and additional breeding bird surveys were carried out on 29th and 30th April 2025. This approach was deemed to be acceptable by the Planning Authority's Ecologist and overall, they were satisfied the various biodiversity enhancement measures could result in a positive effect to the local breeding bird population.

8.6.17. In terms of the winter bird surveys, 23 no. species of bird were recorded across the proposed site during (Table 3-3 of EcIA). Individual Snipe were flushed out from grassland in Parcel 2, Parcel 3, Parcel 4 and damp grassland on flat ground at the north of Parcel 6 and Redwing was recorded field feeding in Parcel 2, Parcel 3 and Parcel 4 (BoCCI Red list). Three (3) no. Amber listed species were recorded, namely Goldcrest, Greenfinch and House Sparrow. It is noted within the EcIA that the remaining 18 no. species recorded are common and widespread species within Ireland and are considered to be of least conservation concern (Green listed on the BoCCI). Observations of waterbirds were limited to Mallard utilising a seasonally flooded area to the south of Parcel 2, outside of the proposed site boundary. It is confirmed that no areas of standing water suitable for use by waterbirds were recorded within the proposed site. In addition, no evidence of field feeding waterbirds, such as direct observation or the presence of droppings or feathers was recorded across the proposed site.

8.6.18. The results of the breeding bird surveys for the various land parcels are provided in Table 3-5 of the EcIA. The fields of agricultural improved pasture supported relatively low levels of avifaunal diversity, with species recorded restricted to corvids, with Redwing present within Parcel 1 in late March 2024 and Swallow flying over the fields in early July 2024 and April 2025. Buzzard was recorded flying over Parcel 2, Parcel 3 and Parcel 5 and are breeding within Parcel 4. The treeline and hedgerow habitats at the field boundaries supported a higher diversity of bird species. Passerines such as Robin, Wren, Great Tit, Chaffinch, Goldfinch, Blackcap, Song Thrush and Mistle Thrush were recorded, in addition to several Blackbird. Blackbird was recorded breeding in a mature hedgerow in Parcel 1 and probably breed in Parcel 4 and Starling breed in outbuildings adjacent to the northern boundary of Parcel 6. It is noted that several species were displaying behaviour that indicated that the possibly breed at the proposed site, such as singing or being present within suitable breeding habitat.

8.6.19. In terms of potential impacts, it is noted that the use of the fields within the proposed site by wintering birds was limited to foraging Redwing and occasional foraging by single Snipe. No evidence of regular use by foraging or roosting waterbirds was

recorded. Therefore, it is contended that there will be no significant adverse effects on waterbirds as a result of disturbance or loss of foraging or roosting habitat during construction. Whilst there is potential for disturbance to winter foraging Snipe and Redwing during construction, the wide availability of other foraging areas within agricultural fields adjoining the proposed site and within the surrounding landscape will ensure that any effects on these species would be minor and temporary to short-term and population-level effects (i.e. significant effects) are not likely. In terms of breeding birds, the various land parcels are dominated by improved agricultural grassland and lack areas of tussocky grassland favoured by ground nesting birds. Furthermore, no evidence of ground nesting birds was recorded during the breeding bird surveys. It is acknowledged that the proposed development will result in a degree of habitat loss and the potential disturbance to breeding avifaunal species currently utilising the treeline and hedgerow habitats bounding fields and small pockets of scrub and woodland. However, considering the presence of suitable alternative habitat surrounding and adjoining the proposed solar farm site, I would agree that the impacts to avifauna are of a negligible magnitude. As hedgerow habitats are abundant within the site and surrounding area, I would also concur that the limited extent of hedgerow removal will have a negligible impact on local bird species as a result of habitat loss The mitigation measures confirm that all vegetation clearance will be completed outside of the bird breeding season (1st March to 31st August). I am also conscious of the landscaping proposals to enhance and increase hedgerow networks at the site which can have a positive impact on avian receptors. Furthermore, enhancement measures, such as the installation of bird boxes (as per BMP), will provide further breeding opportunities for the local bird population.

8.6.20. In terms of the operational phase, the EcIA refers to the "lake effect", where birds can mistake a reflective solar facility for a water body, leading to potential fatalities. It is stated that this primarily a concern where the solar array is located in close proximity to a large stop-over site for water birds. As part of the Applicant's proposals, it is intended to use an anti-reflective coating on the solar panels. In view of the use of this anti-reflective coating and the separation distance between the site and the nearest designated sites for waterbirds (i.e. Gearagh SPA: 9.3km and Cork Harbour SPA: 21.5km), it is contended that there is no potential for impacts to arise as a result of the

lake effect. Similarly, in view of the anti-reflective coating proposed. I am also conscious of the guidance from Nature Scott (NatureScot pre-application guidance for solar farms, June 2025) which indicates that published evidence suggests the overall risk of collision is low for solar PV proposals and it is advised there is no need for a collision risk assessment. For this reason, I am satisfied that undue impacts on ornithological receptors will not arise as result of the proposed development during the operational phase.

8.6.21. Having regard to the results of the Applicant's surveys, the design and layout of the proposed development, the siting of infrastructure within areas of site that primarily comprise improved agricultural grasslands, the Applicant's proposals to retain the majority of boundary hedgerows (exception of the c. 86m of hedgerows) and the various biodiversity enhancement measures and mitigation measures proposed within the EcIA, it is considered that the Applicant's assessment is adequate in the context of the proposed development and significant impacts on avian species shall not arise.

Aquatic Fauna

8.6.22. As discussed, the application has been supported by an Aquatic EcIA. The fieldwork (28th June and 13th August 2024) focused on potentially affected watercourses, their proposed crossing points (where applicable) and the downstream ZoI and aimed to fully characterise baseline conditions of instream habitats and identify key aquatic receptors. Focus was placed on fisheries and any protected aquatic species value of instream habitats. It is stated that the Assessment of ecological value was backed up by desk studies and, where necessary, the published scientific literature. The field survey locations are identified in Figure 2-1 of the Aquatic EcIA. A summary of the ecological value of watercourses potentially affected by the development and the species and habitats of ecological interest that occur or are likely to occur in the ZoI of the proposed development are provided in the below table.

Sub-catchment	Summary	Ecological Valuation
Kame River	The Kame main channel in its lower reaches has good water quality (Q4-5, 'high status) and good trout spawning and nursery habitat with reasonably natural hydromorphology. Its tributaries (Cooldrum and Rathonoane) comprise fair to good trout spawning and nursery habitats, although water quality is slightly impaired in the Rathonoane.	C - County Importance

Nadrid Stream (including Aglish 19 tributary)	Small system with some otential salmonid habitat in the lower reaches (although impaired by partial fish igration barriers), but no salmonid potential at the proposed upper sub- catchment HDD crossing locations.	E - Local Importance (Lower Value) in upper reaches crossed by the Interconnector
Inniscarra Reservoir	Large water body with good water quality, a well-known coarse fishery and high amenity value (angling, rowing, swimming)	C - County Importance in the lower reach at HDD crossing point
Drains upstream of "Farran Stream" (Sites AG10, AG11a, AG11b)	Small, (spring fed) ephemeral (or dry) channels with no salmonid potential adjacent to Parcels 5 and 6.	E - Local Importance (Lower Value)
Farran Stream (Site AG12)	Small stream with some poor to fair potential trout habitat commencing 700m downstream of Parcels 5 and 6. Highly modified by culverts / barriers along it's length to the River Bride, hence low connectivity with Bride in terms of fish passage.	D - Local Importance (Lower Value)

8.6.23. Potential impacts during the construction phase of development and the proposed mitigation measures have been discussed in Section 8.5 of this report. It is also noted that the environmental protection measures for decommissioning would be the same as during construction, with measures relating to surface water management that increase on-site attenuation and prevent excessive sediment loss from the land parcels via field drains. For the operational phase, a long-term positive effect on water quality and aquatic receptors can arise as there will be an overall reduction in intensity of agricultural activity on the land parcels and limited additional soil disturbance during the 40-year operational phase. With reference to the potential impact of solar panels on the behaviour of aquatic insects (i.e. polarised light pollution), the consultant Ecologist has referred to a limited number of recent studies that have reported on the possible effect of solar panel arrays on groups of flying aquatic insects in terms of being attracted away from natural water bodies to lay their eggs on solar panels, which mimic the horizontal polarization of water-reflected light (Fritz, 2020; Black & Robertson, 2020; Lovich & Ennen, 2011; Kriska et al., 2008). However, given the elevation of Parcel 2 above the reservoir and that fact that the high scarp is cloaked in tall, mature woodland, it is contended that there will be limited potential for aquatic insects emerging from the reservoir to be attracted to the alternative polarising surfaces of the solar array. The effect of potential polarised light pollution on local aquatic invertebrate communities is considered to be neutral for the invertebrate communities of the Inniscarra Reservoir and its small tributaries. In terms of the mitigation for the operational phase, a combination of buffer zone and drainage

maintenance is proposed for the duration of solar farm's operational life. Having regard to the provision of buffer zones from onsite watercourses, the absence of any instream works, the implementation of the mitigation measures included within the Aquatic EcIA, SWMP and the CEMP and the nature of the solar array installation works which require minimum soil disturbance/excavation, I am satisfied that significant impacts on aquatic ecology will not arise as a result of surface or groundwater contamination during the various phases of the proposed development. Subject to compliance the conditions discussed in Section, 8.5 of this report, I deem the proposed development to be acceptable.

Designated Sites

8.6.24. As noted, there are no Natural Heritage Areas (NHA) located within 10km of the site. However, there are 4 no. proposed National Heritage Areas (pNHA) within 10km of the site which include:

- Glashgarriff River pNHA (001055) - c. 2.7km,
- Lough Gal pNHA (001067) - c. 4.3km,
- Lee Valley pNHA (000094) - c. 7.0km, and,
- The Gearagh pNHA (000108) - c. 7.9km.

I note that the Lee Valley pNHA is the only pNHA where connectivity with the site exists. It is noted within the Applicant's EcIA that that there is potential remote and indirect connectivity via Inniscarra Reservoir adjoining Parcel 2. Whilst a Third Party observer has contended that this site has been incorrectly identified within the application documents, this pNHA is located downstream of Inniscarra dam in the valley of the River Lee. It is reiterated that a suite of measures has been included within the Aquatic EcIA and the CEMP to mitigate potential surface water quality impacts. Overall, I am satisfied that the designed-in mitigation along with the additional measures outlined within these documents will ensure that significant impacts on downstream receptors will not arise as a result of the proposed development.

Conclusion

8.6.25. Having regard to the nature of the proposed development and the totality of the documentation on file, it is considered that the Applicant has provided adequate detail regarding the site's ornithological, terrestrial and aquatic ecology. Noting the location of the site in an area characterised by predominantly improved agricultural grassland,

the integral design measures (i.e. avoidance), standard best practice measures and the mitigation and biodiversity enhancement measures set out within the EcIA, Aquatic EcIA, Biodiversity Enhancement Plan, Invasive Species Management and CEMP, I am satisfied that significant impacts on biodiversity will not arise and the proposed development would therefore be acceptable from an ecological perspective.

8.7. Residential Amenity

Glint and Glare

8.7.1. A number of Third Party observers have highlighted the potential for glint and glare (G & C) impacts associated with the proposed development. The Applicant had submitted a G & C assessment which sought to determine the potential for solar reflectance effects upon dwelling and transport route receptors in site's surrounding area. The potential for hazardous effects upon aviation activities in the wider area was also considered but no relevant aviation receptors were identified and thus, aviation receptors were scoped out for further consideration. This approach is deemed to be acceptable noting the location of the subject site. It is noted that the study uses a multi-step process of elimination to determine which receptors have the potential to experience the effects of glint and glare. Using a computer-generated geometric model, it then examines the times of the year and the times of the day such effects could occur. It is noted that the majority of the photovoltaic panels are to be oriented in a south and south-west facing direction to maximise solar gain and will remain in a fixed position throughout the day and year. The height of the panels is 3.25m, with a tilt angle of between 10-25°. Whilst ZTV analysis was undertaken as part of the LVIA, it is highlighted that areas shown on the ZTV map to have the potential for visibility do not necessarily have the potential to be impacted by glint and glare (i.e. no geometric potential for glare to the north).

8.7.2. The assessment notes that the potential for substantial nuisance or hazardous impacts are greatest in close proximity to the source of reflectance and the potential for adverse impacts reduces with increased distances. Therefore, a 1km buffer from the site boundary is used by default on all solar farms. The assessment sets out the methodology and approach taken to the study and a magnitude of impact ranging from very high down to negligible/none is utilised to determine the potential impact on

residential receptors. The results of the analysis provided for the residential receptors that occur within the 'Area of Consideration for Further Analysis' are contained in Appendix A and summarised in Table 3.2 of the Applicant's G & C Assessment. A total of 228 no. residential receptors were included within this 'Area of Consideration for Further Analysis'. Terrain-only data (DTM) identified that glint and glare is geometrically possible at 147 of these dwellings. Further analysis, taking account of the existing screening (using a digital surface model - DSM) and on-site verification of the analysis results, indicated that 37 no. dwellings are likely to have the potential to be materially affected by glint and glare. Post the establishment of mitigation, it is noted that 36 no. dwellings have the potential to incur glint and glare effects (potential impacts on H194 are mitigated). The assessment is based panel tilts of 10, 15, 20 and 25 degrees in order to represent a robust range of potential impacts. The analysis of each residential receptor in terms of a worst-case scenario and the potential magnitude of impact is summarised in the below table.

Table: Assessment of Residential Receptors

Residential Receptor	Assessment	Magnitude of Impact
H04	House H04 is a two-storey dwelling located c. 750m southwest of parcel 1. Prior to mitigation, reflectance has the potential to occur only at the first floor of this dwelling for maximum of 14 minutes per day (25-degree tilt) over 100 days of the year.	Low
H05	Bungalow located some c. 720m southwest of parcel 1. Prior to mitigation, reflectance has the potential to at this dwelling maximum of 12 minutes per day (20-degree tilt) over 87 days of the year (25-degree tilt).	Low
H13	Two-storey dwelling located immediately north and west of parcel 1 and is some c. 100m from the nearest panel. Once the proposed mitigation screen planting has fully established, the potential for reflectance at the ground floor will be entirely eliminated, whilst at the first floor there is only potential for reflectance to occur for a maximum of 4 minutes over an entire year period.	Negligible
H24	Two-storey dwelling located c. 650m southwest of parcel 2. Reflectance has the potential to occur only at the first floor of this dwelling for a maximum of 22 minutes per day over 53 days of the year (20- degree tilt).	Low
H25	Two-storey dwelling located c. 650m southwest of parcel 2. Once the proposed mitigation screen planting has fully established, the potential reflectance periods will result in a maximum of 52 minutes over an entire year period,	Negligible
H29	Bungalow located c. 500m southwest of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to at this dwelling maximum of 16 minutes per day over 144 days of the year (25-degree tilt).	Medium-Low
H31	Bungalow located c. 500m southwest of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to at this dwelling emanating from	Medium-Low

	the 10-degree and 15-degree tilt angles for a maximum of 26 minutes per day over 53 days of the year (10-degree tilt angle).	
H38	Two-storey dwelling located c. 470m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur for a maximum of 22 minutes (25-degree tilt) over an entire year period at the ground floor and for a maximum of 10 minutes per day over 74 days of the year at the first floor (25-degree tilt).	Low
H51	Bungalow located c. 700m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 14 minutes per day (25-degree) over 40 days of the year (20-degree tilt).	Very Low
H52	Two-storey dwelling located c. 730m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur only at the first floor of this dwelling from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 6 minutes per day over 23 days of the year and for a maximum of 86 minutes over and entire year period (25-degree).	Very Low
H53	Two-storey dwelling located c. 760m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur at the ground floor of this dwelling from only the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 14 minutes per day over 77 days of the year (25-degree). Reflectance also has the potential to occur at the first floor of this dwelling at all tilt angles for a maximum of 16 minutes per day over 77 days of the year (25-degree).	Very Low
H55	Two-storey dwelling located c. 700m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur at the ground floor of this dwelling for a maximum of 22 minutes per day over 81 days of the year (25- degree). Reflectance also has the potential to occur at the first floor of this dwelling at all tilt angles for a maximum of 20 minutes per day over 83 days of the year (25-degree).	Very Low
H56	Bungalow located some c. 700m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur at this dwelling for a maximum of 22 minutes per day over 88 days of the year.	Very Low
H57	Two-storey dwelling located c. 860m south of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur at this dwelling for a maximum of 20 minutes per day (25-degree) over 92 days of the year (20-degree). At the first floor, reflectance has the potential to occur for a maximum of 22 minutes per day (25-degree) over 98 days of the year (20-degree).	Very Low
H58	Two-storey dwelling located c. 830m southeast of parcel 2. Prior to the establishment of the proposed mitigation measures, reflectance has the potential to occur at the ground floor of this dwelling from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 18 minutes per day over 61 days of the year (25-degree). At the first floor, reflectance has the potential to occur from only the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 20 minutes per day over 62 days of the year (25-degree).	Very Low
H59	Two-storey dwelling located c. 810m southeast of parcel 2. Prior to the establishment of the proposed mitigation	Very Low

	measures, reflectance has the potential to occur at the ground floor of this dwelling from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 18 minutes per day over 50 days of the year (25-degree). At the first floor, reflectance has the potential to occur from only the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 18 minutes per day over 54 days of the year (25-degree).	
H100	Two-storey dwelling located along the western boundary of parcel 4. Reflectance only has the potential to occur at this dwelling at the first floor from the 10-degree and 15-degree tilt angles for a maximum of 70 minutes over and entire year period.	Very Low
H111	Two-storey dwelling located c. 320m southeast of parcel 4. Reflectance only has the potential to occur at this dwelling at the first floor for a maximum of 6 minutes per day (20-degree) over 50 days of the year (15-degree).	Very Low
H113	Two-storey dwelling located c. 320m southeast of parcel 4. Reflectance has the potential to occur at the ground floor of this dwelling for a maximum of 20 minutes per day over 55 days of the year (15-degree) and at the first floor for a maximum of 22 minutes per day (25-degree) over 102 days of the year.	Low
H114	Two-storey dwelling located c. 260m east of parcel 4. Reflectance only has the potential to occur at the first floor of this dwelling for a maximum of 8 minutes per day over 36 days of the year (25-degree).	Very Low
H117	Two-storey dwelling located c. 400m northeast of parcel 4. Reflectance has the potential to occur at the ground floor of this dwelling for a total of 58 minutes over and entire year period, whilst at the first floor reflectance has the potential to occur for a maximum of 72 minutes over an entire year.	Very Low
H121	Two-storey dwelling located c. 440m southeast of parcel 4. Reflectance only has the potential to occur at the first floor of this dwelling for a maximum of 26 minutes per day over 117 days per year (15 degree).	Medium-Low
H123	Two-storey dwelling located c. 440m southeast of parcel 4. Reflectance only has the potential to occur at the first floor of this dwelling for a maximum of 28 minutes per day over 153 days per year (20-degree).	Medium
H141	two-storey dwelling located c. 670m east of parcel 5. Reflectance only has the potential to occur at the first floor of this dwelling from the 10-degree tilt angle for a maximum of 4 minutes over an entire year period. T	Negligible
H167	Bungalow located c. 630m east of parcel 6. Reflectance has the potential to occur here from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 12 minutes per day over 29 days of the year and for a maximum of 154 minutes over an entire year period.	Very Low
H168	bungalow located c. 580m east of parcel 6. Reflectance has the potential to occur here at all tilt angles for a maximum of 16 minutes per day over 71 days of the year (20- degree).	Low
H169	bungalow located c. 530m east of parcel 6. Reflectance has the potential to occur here at all tilt angles for a maximum of 24 minutes per day over 107 days of the year (20- degree).	Medium-Low
H170	bungalow located c. 510m east of parcel 6. Reflectance has the potential to occur for a maximum of 26 minutes per day (15-degree) over 105 days of the year (20-degree).	Medium-Low
H172	Bungalow located c. 970m east of parcel 6. Reflectance has the potential to occur from the 10-degree, 15-degree and 20-	Negligible

	degree tilt angles for a maximum of 8 minutes over and entire year period.	
H178	Two-storey dwelling located c. 600m southwest of parcel 6. Reflectance only has the potential to occur at the first floor of this dwelling from the 15-degree tilt angle for a maximum of 6 minutes over an entire year period.	Negligible
H182	Two-storey dwelling located c. 320m southwest of parcel 6. Reflectance has the potential to occur at the ground floor of this dwelling for a maximum of 14 minutes per day over 57 days of the year (10-degree). Reflectance has the potential to occur at the first floor of this dwelling for a maximum of 16 minutes per day (10-degree) over 101 days of the year (20-degree).	Low
H185	Two-storey dwelling located c. 160m southwest of parcel 6. Reflectance has the potential to occur at the ground floor of this dwelling for a total of 78 minutes over an entire year period (20-degree) and for a total of 72 minutes per year at the first floor (15-degree).	Very Low
H186	Two-storey dwelling located c. 150m southwest of parcel 6. Reflectance only has the potential to occur at the first floor of this dwelling for a maximum of 128 minutes over an entire year period.	Very Low
H189	Two-storey dwelling located c. 60m south of parcel 6. Reflectance has the potential to occur at the ground floor at only the 20-degree and 25-degree tilt angles for a maximum of 18 minutes over an entire year period. At the first floor reflectance has the potential to occur from the 15-degree, 20-degree and 25-degree tilt angles for a maximum of 104 minutes over an entire year period.	Very Low
H193	Bungalow located some c. 320m southeast of parcel 6. Reflectance has the potential to occur at the dwelling for a maximum of 10 minutes per day (25-degree) over 51 days of the year (20-degree) and for a maximum of 184 minutes over an entire year period.	Very Low
H203	Bungalow located c. 320m southeast of parcel 6. Reflectance has the potential to occur at the dwelling for a maximum of 10 minutes per day (25-degree) over 51 days of the year (20-degree) and for a maximum of 184 minutes over an entire year period.	Very Low

8.7.3. In terms of mitigation, it is proposed that all existing hedgerows within and around the perimeter of the site are to be 'grown-out' prior to construction. In addition, it is proposed to plant new sections of hedgerow, along some sections of the site boundary, whilst a linear corridor of native woodland planting is proposed along the northern boundary of Parcel 3. Furthermore, early-stage planting is included within and around the site during the first month of construction. By the time the proposed solar farm construction has concluded, and the proposed panels are in place, it is confirmed that proposed planting will have been in place for up to two growing seasons, allowing the advanced nursery stock and whips to marginally fill out and reduce potential reflectance periods.

8.7.4. In terms of the transport receptors, Receptor Points have been positioned along all the potentially affected roads within the 'Area of Consideration for Further Analysis', the results of which are provided in Appendix B and D and summarised in Table 3.4 of the G & C Assessment. A total of 544 no. road Receptor Points were analysed using a DTM which identified that glint and glare is theoretically possible at 344 of these road Receptor Points. The results of the DSM analysis indicate that the existing screening afforded by buildings and vegetation significantly reduces the overall glint and glare to be experienced, whereby 74 no. road receptors are likely to experience glare with the existing screening, and 72 no. receptors are identified once mitigation has established. The result of this analysis is summarised in the below table.

Table: Assessment of Road Receptors

Road Receptor	Assessment	Ameliorating Factors
R14-19	Section of a local road located some c. 600m southwest of parcel 1. Reflectance has the potential to occur along this road section from panels at all tilt angles for a maximum of 14 minutes per day (R16, 15-degree tilt) over 76 days of the year (R16, 15-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for a brief section of this local road carriageway (< 300m section) Reflectance will not be experienced by road users travelling northwest. Very limited potential for glare to be experienced by road users travelling along this brief section of the local road as it will be outside the field of view of the driver
R107-108, R126-128 & R133-136	Intermittent road points relate to a section of local road located some c. 500m southwest of parcel 2 at its nearest point. Reflectance has the potential to occur along these intermittent road points for a maximum of 26 minutes per day over 105 days of the year (R134, 25-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur along brief intermittent sections of this local road carriageway (< 200m sections). Very limited potential for glare to be experienced at receptor points R107-R018 by road users as it will be outside the field of view of the driver. Road users travelling west along this section of the road will also not experience glare.
R267, R275-277, R279, R283 & R296	Intermittent road receptor points are located along a local road that traverses immediately south of parcel 4. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 10 minutes per day over 75 days of the year (R276, 25-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 150m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting

		panels.
R298-301, R313-316 & R318	Intermittent road points are located along a local road that traverses immediately west of parcel 4, with some of the potentially affected road points located over c.900m to the west of the site boundary. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 16 minutes per day over 102 days of the year (R313, 25-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 200m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.
R334-335 & R340-341	Intermittent road receptor points relate to brief sections of the R619 regional road located some c. 60m northeast of parcel 4. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 6 minutes per day over 22 days of the year (R341, 25-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 100m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.
R354-355, R358, R362, R367 & R369	Intermittent road receptor points relate to brief sections of the R619 regional road located some c. 250m east of parcel 4 at its nearest point and a brief section of local road that veers north from the regional road corridor. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 20 minutes per day (R354, 10-degree tilt) over 93 days of the year (R354, 15-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for a brief section of this local road carriageway (< 100m section). Very limited potential for glare to be experienced by road users travelling along these brief sections of the regional and local road as the potentially reflecting panels will be outside the field of view of the driver
R370-373	Road receptor points relate to a small section of local road located some c. 300m east of parcel 4. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 22 minutes per day (R371, 15-degree tilt) over 56 days of the year (R372, 15-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 200m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.
R389	Relates to a brief section of local road some c. 420 east of parcel 4. Reflectance has the potential to occur here for a maximum of 26 minutes per day (20-degree) over 152 days of the year (25-degree).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 50m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.
R419-R431, R436-441 & R448	Section of local road that intersects parcels 5 and 6 and traverses along their southern and northern boundaries, respectively. Reflectance has the potential to occur along these road sections from panels at all tilt angles for a maximum of 14 minutes per day (R427, 25- degree tilt) over 110	Must be clear sunshine for any glare to occur. Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.

	days of the year (R426, 25-degree tilt).	
R484-486, R499 & R501	Intermittent road receptor points are located along a local road to the southwest of parcel 6, the nearest of which is some c.230m southwest of this parcel. Reflectance has the potential to occur along this road section from panels at all tilt angles for a maximum of 10 minutes per day (R485, 25- degree tilt) over 73 days of the year (R485, 20-degree tilt).	Must be clear sunshine for any glare to occur. Reflectance only has the potential to occur for brief intermittent sections of this local road carriageway (< 150m sections). Reflectance will not be experienced by road users travelling in the opposite direction of the potentially reflecting panels.

8.7.5. As detailed in the above table, the potential magnitude of impact on affected residential receptors across the study area typically range from negligible to low. However, there are a limited number of receptors (H29, H31, H121, H123, H169, H170) where a medium or a medium-low impact may arise. However, I am conscious that the reflectance periods provided are theoretical by default and represent a worst-case scenario in that they assume that the sun is always shining and at full intensity. In addition, it is noted there have been technological advancements in solar energy and the addition of an Anti-Reflective Coating (ARC) on panels has become an option that is now typically utilised in solar farm developments and has been identified as an ameliorating factor in the Applicant's assessment. In this regard, it is my view that a condition should be included which requires all solar panels to include an ARC. Having examined the Applicant's analysis, it was evident that the impacts vary by receptor and panel tilt, with no single tilt angle minimising impacts for all receptors. Although impacts are generally lower at 10 degrees, some receptors experience greater effects at this angle compared to higher tils. Therefore, it is my recommendation that a condition be included which requires the Applicant to confirm the final tilt of the solar panels within each parcel prior to the commencement of development. Furthermore, there should be a requirement for the developer/operator (2 years post commissioning) to submit annual detailed glint surveys to confirm the results of the assessment and the effectiveness of the proposed mitigation once implemented. Subject to compliance with these conditions and the implementation of the proposed mitigation planting, I am satisfied that the proposed development will not result in any significant nuisance effects from glint and glare at dwellings or road receptors within the study area.

Noise

8.7.6. Noise generated during the construction and operational phases has been raised as

a concern by a number of Third Party observers. I note that the application was supported by a Noise Impact Assessment (NIA). As part of the NIA, an attended and unattended baseline noise survey was conducted to assess the background noise levels and the typical noise sources in the area. Multiple locations were chosen to conduct the survey to establish the background noise across the full development. The attended measurements included measurements of background noise during both daytime (07:00hrs - 23:00hrs) and night-time hours (23:00hrs - 07:00hrs). The development is generally surrounded by agricultural farmland with one off housing. The Noise Sensitive Locations (NSLs) are identified in Figure 3 of the NIA and have been grouped together for the purpose of the assessment with the worst case NSL in each group being assessed as representative of the group. On the basis of the measurement results, it was determined that the site is an area of low background noise and therefore the EPA NG4 “Areas of Low Background Noise” was adopted for the operational phase of the project.

8.7.7. In terms of the construction phase, it is confirmed that the construction noise and vibration impact has been predicted to the nearest NSLs of the solar farm. These predictions were based on the procedures outlined in BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Noise. Table 8 of the NIA outlines the plant that will be used during the construction phase and the noise level generated. The appropriate category value for this project has been determined as Category A with a 65dBA threshold. The predicted noise level at each NSL is also provided in Table 9 and demonstrates that no construction noise mitigation is required as all noise from construction works falls within the criteria set out by BS 5228-1 (less than 65dBA threshold). Given the nature of the proposed development, it is not anticipated that there will be any negative vibration impact from the construction works. Whilst it is acknowledged that no noise mitigation is required during the construction phase, general recommendations for the control of noise from construction works is set out in Section 5.1.3 of the assessment and it is confirmed that these standard noise commitments will be adhered to. Having regard to the results of the Applicant’s analysis and the temporary and short-term nature of the construction phase noise impacts, I am satisfied that the proposed development will not result in significant noise impacts at NSLs or other sensitive receptors within the site surrounds.

8.7.8. In terms of the operational phase, the Planning Authority's Environment Department requested the Applicant to submit additional details by way of FI. This included a requirement to submit:

- A scaled map identifying the location of all NSLs considered as part of the NIS and the distance of each NSL from the proposed development presented in tabular form. Noise monitoring locations were also to be shown on this map.
- Predicted levels pre and post screening to be presented given that screening of inverters is proposed within Parcels 1, 3 and 6.
- Further analysis to support the claim that no audible tonality is predicted at the NSLs.

A scaled OS map was included within the Applicant's FI response which identified the NSLs and the measurement locations. Table 1 of this response also shows the respective distances between the closest dwelling of each NSL subgroup and the nearest application boundary. The distance to the closest noise emitting source within the nearest land parcel is also shown. Within the FI response, it was noted that 2 no. inverter/transformer units have been omitted from the updated plans, one in Parcel 4 and another in Parcel 6. It was confirmed within the response that the analysis is reflective of the most up to site layout plan which consists of a total of 21 no. inverter/transformer units.

8.7.9. It is noted within the application documents that the solar arrays will be fixed structures with no moving parts. As such, there is no predicted noise emission from the solar panels themselves. The potential noise sources are from inverter/transformer units connected to the PV panels. In terms of Daytime Noise Levels, NSL3 is predicted to have noise levels which marginally exceed the evening time criteria of 40dB $L_{Ar.T}$ by 1dB without noise screening. All NSLs are predicted to achieve the EPA NG4 evening time criteria of 40dB $L_{Ar,T}$ based on the predicted noise levels with the proposed noise wall mitigation (i.e. post screening). The purpose of the screening is to ensure the noise levels at all noise sensitive locations are within acceptable levels in relation to background noise levels (LA90) in accordance with a BS4142 assessment and that the more stringent NG4 evening time criteria (19:00hrs - 23:00hrs) of 40dB $L_{Ar.T}$. Based on the predicted operational noise levels post screening (LAeq), the noise from the development is predicted to be within 5dBA of the background noise levels at all NSLs.

Therefore, no adverse noise impact is predicted from the development. In terms of nighttime noise levels, Table 3 of the Applicant's FI response demonstrates that the operational noise from the development during the nighttime is predicted to achieve the EPA NG4 and the BS4142 project criteria for both pre and post screening. In terms of the potential tonal/impulsive noise characteristics, Table 4 of the response highlights the predicted octave band noise levels at the worst case noise sensitive location (NSL8) during the daytime period. The results demonstrate that there is no predicted tonality from the proposed development. It is noted that the NIA recommends the installation of a 3.5m high noise wall around a number of inverter/transformers (Parcel 1, Parcel 3 and Parcel 6) at a 2m setback distance from the unit to allow for air flow, circulation and access around the units. This measure is included to reduce the potential noise impact at NSLs 1, 2, 3, 4 and 12. It is also noted that the Planning Authority's Environment Department have recommended a condition for a noise monitoring survey to be undertaken within 3 no. months of the development's operation. Having regard to the nature of the proposed development and its noise sources, the results of the Applicant's analysis and the separation distances provided between the inverters and the NSLs, I am satisfied that the operation of the proposed development will not result in significant noise impacts on surroundings properties. Subject to compliance with appropriate conditions, I consider the proposed development to be acceptable.

Visual Impacts & Landscaping

8.7.10. As discussed in Section 8.3, concerns have been raised by many Third Party observers regarding the potential visual impact of the proposed development. Noting the layout of the development and the setbacks provided from existing dwellings, the overall scale of the solar arrays (max. height of 3.25m) and the proposed mitigatory landscaping which has been designed to limit and filter views of the development from the site surrounds, I am satisfied that the proposed development will not unduly compromise the residential amenity of properties in the surrounding area by reason of visual obtrusiveness. I also note that the layout of the development was modified at FI stage, where panels have been removed entirely from the south-western field of Parcel 4. This has allowed greater separation distances to be provided from existing dwellings along the L6398 and L6207. However, I acknowledge that there are instances where

adverse impacts can arise as a result of the proposed landscaping proposals. In this regard, I refer to the Applicant's proposals for Parcel 5 where it is proposed to bolster the existing hedgerow along the northern boundary of the parcel. I note that a section of this northern boundary comprises an earthen embankment that is interspersed by a number of mature trees which offers an attractive outlook for the dwellings to the north of Parcel 5. In addition, a new Type 2 hedgerow is proposed along the north-western boundary of the parcel which its shares with the immediately adjoining property. Having visited the subject site and having examined the photomontages, it is my view that a more optimal solution would be the provision of revised landscaping proposals to provide a new Type 2 hedgerow to the immediate north of the panels within Parcel 5. I also note that the provision of a 3-4m Type 2 hedgerow along the boundary with the open space of the property to the north-west would likely result in overshadowing impacts. Subject to compliance with these conditions, including a requirement for the submission of a revised landscaping plan for Parcel 5, I deem the proposals to be acceptable.

Health and Safety

8.7.11. A number of Third Party observers have raised concerns regarding the inadequate separation distances provided from dwellings and other sensitive receptors such as schools. Of note, concerns were raised regarding Electro-Magnetic Fields (EMF) and associated impacts to human health. I note that the application is accompanied by an EMF/EMC Impact Assessment which acknowledges that solar farms can emit low levels of EMF from inverter/transformer stations and underground interconnector cabling as well as from on-site substations and any associated grid connection cabling. However, the levels of EMF emitted are substantially lower than the basic restriction level, which is the level at which radiation is potentially harmful to humans. It is confirmed that any emissions from the inverters would dissipate rapidly within the development site boundary which would be considerably lower than the 1998 International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines recommendation of 100 μT. I note that the EPA is the competent authority in terms of monitoring EMF exposure and it is not a matter for determination by the Commission. Nonetheless, the EPA's EMF Guidelines indicates that there is no scientific evidence that exposure to low levels of EMF of any frequency causes damage to human health

and that current scientific evidence does not support long-term health effects due to exposure to high or low frequency EMF. Given the nature of the proposed development and the analysis provided within the Applicant's assessment, adverse health impacts due to EMF are not anticipated to arise.

8.8. Other Matters

Substation & Grid Connection

8.8.1. Throughout the application and appeal stages, various concerns were raised by Third Parties regarding the proposed substation and grid connection. Overall, I do not consider that there is a requirement for consideration of the future substation development or grid connection under this appeal. Whilst these elements of the overall project have been assessed in a number of the Applicant's reports, these will be the subject of a future consent process, whereby an application may be made to the Commission under Section 182A of the Act, following the required pre-application consultation process to determine if it is SID. If it is not, an application would be made to Cork County Council.

Property Devaluation

8.8.2. I note that a number of third party observers have raised concerns regarding property devaluation. Noting my assessment of the application, particularly with respect to landscape, visual and residential amenity (noise, air quality, glint and glare) impacts and subject to compliance with appropriate conditions and adherence to the various mitigation measures, including the implementation of the comprehensive landscaping proposals, I am satisfied that the proposed development would not lead to property devaluation at a level as to warrant a refusal of permission.

Public Consultation

8.8.3. A number of Third Party observers raised concerns that the Applicant had failed to meaningfully engage with the local community throughout the planning process. I note that there are no legal obligations under planning legislation for the Applicant to engage in formal consultation with the public for a development of this nature. Notwithstanding this, the Applicant's planning statement indicated that a community engagement programme was developed to inform the process of disseminating information on the project and to gain an insight into local issues. This included door

to door calls with individual properties immediately adjoining the site. It is stated that a Community Information Leaflet was also produced to inform the process and distributed by hand to local residents, a copy of which is enclosed in the planning application. Overall, I am satisfied that the legal requirements were adhered to by the Applicant through the application process.

Validity of Application

8.8.4. It is the contention of a number of Third Party observers that the application is invalid as amongst other matters, FI had not been submitted within the statutory period and the application should be deemed to be withdrawn. I note that the matter of validation is the role of the respective Planning Authority. Notwithstanding this, I am satisfied that there is adequate information before the Commission in order to comply with the relevant legislative provisions and discharge its statutory function as the competent authority.

9. EIA Screening

Solar Energy development

9.1.1. Solar energy development is not listed as a class of development for the purposes of EIA under Part 2 of the Fifth Schedule, within the Planning and Development Regulations, 2001 (as amended). In this regard, a requirement for preliminary examination or EIA does not arise for this type of development.

9.1.2. The proposed solar energy development will require a connection to the national grid. While this appeal relates to a decision under S.34 of the Act, an application for such grid connection would fall under the Strategic Instructure provisions of the act requiring a separate application under S.182. A grid connection of this nature would not constitute a class of development under Schedule 5 and would not require preliminary examination or EIA.

Rural Re-structuring

9.1.3. However, it is noted that rural restructuring is listed as development for the purposes of Part 10 under the heading of *Agriculture, Silviculture and Aquaculture*, Class 1 of Part 2 of the Fifth Schedule, with the following stated under subsection (a) '*Projects for the restructuring of rural land holdings, undertaken as part of a wider development,*

and not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares.'

9.1.4. The proposed development involves the removal of a limited extent of hedgerow, in total comprising c. 86m. Such removal is associated with access requirements and does not result in the amalgamation or enlargement of existing fields. This proposed removal of hedgerow is significantly below the EIA threshold of 4km as outlined under Planning and Development Regulations, 2001 (as amended). The development would, however, constitute sub-threshold development for rural restructuring (Class 1(a), Part 2 of Schedule 5). I refer to Appendix 2 Pre-screening and Appendix 3 which contains the final EIA Screening Determination on file.

Conclusion

9.1.5. Having regard to the nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning & Development Regulations 2001 (as amended), and the Schedule 7A information submitted by the Applicant, following a screening determination as detailed under Appendix 3 of this report, it can be concluded that 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 following this screening determination and an EIA is not required.

10. Appropriate Assessment

10.1. Screening Determination

10.1.1. In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) (under Section 177V of the Planning and

Development Act 2000, as amended) is not required.

10.1.2. This conclusion is based on:

- Objective information presented in the Appropriate Assessment Screening Report and the various documents supporting the application.
- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- Standard pollution controls for a development of this nature that would be employed regardless of proximity to a European site and effectiveness of same.
- Distance from European Sites.
- Impacts predicted would not affect the conservation objectives.

10.1.3. I note that no measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

11. Recommendation

11.1. It is recommended that the Commission grant planning permission for the proposed development for the following reasons and considerations and subject to the conditions set out below.

12. Reasons and Considerations

12.1. The Commission reached its decision in accordance with its duties under Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended, and the requirement to, in so far as practicable, perform its functions in a manner consistent with inter alia the Climate Action Plan 2025 and the furtherance of the national climate objective, and otherwise had regard to:

a. European, national, regional and local planning, energy, climate and other policy of relevance, including in particular the following:

European Policy/Legislation including**:**

- Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive);
- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as

amended by 2009/147/EC (Birds Directive);
- Directive 2000/60/EC (Water Framework Directive)

National Policy and Guidance including**:**

- Project Ireland 2040: National Planning Framework ("NPF"), First Revision of the NPF;
- National Development Plan 2021-2030
- The objectives and targets of the National Biodiversity Action Plan 2023-2030;
- Policy Statement on Security of Electricity Supply (November 2021);
- National Energy Security Framework (April 2022);
- National Energy and Climate Action Plan (2021-2030);

Regional and Local Planning Policy, including in particular:

- Regional Spatial and Economic Strategy for the Southern Region (2019-2031);
- Cork County Development Plan, 2022-2028;

b. The nature, scale and extent of the proposed development,
c. The pattern of development within the area and context of the receiving environment,
d. Measures proposed for the construction, operation and decommissioning of the development,
e. The range of mitigation measures set out in the Ecological Impact Assessment, Aquatic Ecological Impact Assessment, Construction and Environmental Management Plan, Biodiversity Management Plan, Glint and Glare Assessment, Noise Impact Assessment, Landscape and Visual Impact Assessment and the Archaeological, Architectural and Cultural Heritage Impact Assessment,
f. The submissions of the Third Parties received in relation to the appeal,
g. The documentation submitted with the application and the appeal, and,
h. The Inspector's report and recommendation.

12.2. Proper Planning and Sustainable Development

12.2.1. It is considered that subject to compliance with the conditions set out below, the

proposed development:

- Would be in accordance with European, national, and regional renewable energy policies and would align with the provisions of the Cork County Development Plan, 2022-2028,
- Would not have an adverse impact on the cultural or archaeological heritage of the site and surrounding area,
- Would not unduly impact on the character of the receiving landscape
- Would be acceptable in terms of traffic impacts and safety,
- Would not have a significant adverse impact on ground or surface water quality,
- Would not have a significant adverse impact on terrestrial, ornithological or aquatic ecology,
- Would not seriously injure the residential amenities of the area or otherwise of property in the vicinity, and,
- Would make a positive contribution to Ireland's renewable energy and security of energy supply requirements.

For these reasons, the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13. Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans and particulars received by the Planning Authority on the 21st day of May 2025 and the 27th day of June 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
   Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this order.
   Reason: Having regard to the nature of the development, the Commission

considers it appropriate to specify a period of validity of this permission in excess of five years.

3. Prior to commencement of development, the developer shall submit details to the planning authority confirming the anticipated megawatt capacity and annual electricity generation of the solar farm.
   Reason: In the interest of clarity.

4. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.
   Reason: In the interest of clarity

5. All of the environmental, construction and ecological mitigation measures, as set out in the Ecological Impact Assessment, Natura Impact Statement, Glint and Glare Assessment, Noise Impact Assessment, Landscape and Visual Impact Assessment, the Archaeological, Architectural and Cultural Heritage Impact Assessment, Construction and Environmental Management Plan (including Surface Water Management Plan) submitted by way of further information, and other plans and particulars submitted with the application shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this Order.
   Reason: In the interests of clarity and of the protection of the environment during the construction and operational phases of the development.

6. The RMU, inverters and spare parts containers shall be painted dark green in colour or other dark colour, unless otherwise agreed with the Planning Authority prior to the commencement of development.
   Reason: In the interest of the visual amenity of the area.

7.
   a. The permission shall be for a period of 40 years from the date of the

commissioning of the solar array. The solar array and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

b. Prior to commencement of development, a detailed maintenance regime for the solar farm and a separate restoration plan, including a timescale for its implementation, providing for the removal of the solar arrays, including all foundations, anchors, inverter/transformer stations, control building, CCTV cameras, fencing and site access to a specific timescale, shall be submitted to, and agreed in writing with, the planning authority. The maintenance regime shall have due regard to the mitigation measures prescribed in the submitted Flood Risk Assessment.

c. 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 arrays, including foundations/anchors, and all associated equipment, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with this plan, and all decommissioned structures shall be removed within three months of decommissioning.

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

8.

a. The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) following consultation with the National Monuments Service or Local Authority Archaeologist in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/ photographic research and fieldwork, the latter to include, where applicable - geophysical survey, metal detection survey and archaeological testing (consent/licensed as required under

the National Monuments Acts). The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

b. Prior to any commencement of development, the Construction & Environmental Management Plan (CEMP) shall be updated to reflect the completed archaeologically assessment and shall be submitted for the written agreement of the Planning Authority. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
c. A Management Plan for all RMPs and Cultural Heritage features (CH) as detailed in the Archaeological, Architectural and Cultural Heritage Impact Assessment Report (Rubicon Heritage, Sept 2024] shall be prepared, following consultation with the National Monuments Service, and submitted to the planning authority for their written agreement prior to commencement of development.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

9.

a. Existing field boundaries, including trees and hedgerow, shall be maintained and supplemented in accordance with the details submitted save where removal is proposed to facilitate access roadways and sight lines.
b. All proposed landscaping and planting shall take place in the first planting season following commencement of development and in accordance with the details proposed. The landscaping and screening shall be maintained at regular intervals. Any trees or hedgerow that are removed, die or become seriously damaged or diseased within five years from planting shall be replaced within the next planting season by trees or hedging of similar size and species, unless otherwise agreed in writing with the Planning Authority.
c. Revised landscaping proposals shall be submitted for Parcel 5. In lieu of the hedgerow planting along the northern boundary (Type 1) and Type 2 Hedgerow planting along the north-western boundary, a new Type 2 hedgerow shall be provided to the immediate north of the panels within Parcel 5 along its entire length.
d. All solar panels within the permitted development shall include an Anti-Reflective Coating (ARC). Upon commissioning of the development and for a period of two years following first operation, the developer/operator shall provide detailed glint surveys on an annual basis to the planning authority to confirm the effectiveness of the proposed mitigation once implemented. In addition, the Applicant shall confirm the final tilt of the solar panels within each land parcel prior to the commencement of development.

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

10. 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 environmental protection and reducing run-off from the site.

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

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

12.

    a. No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
    b. The solar panels shall be cleaned with water only, and the use of chemical products is prohibited.
    c. CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road.
    d. Cables within the site shall be located underground.
    e. A 200mm gap shall be provided between the base of all security fencing and the ground within each land parcel. In addition, larger mammal access gates shall be provided at appropriate points to enable access for wildlife to move freely throughout the landscape. The gap between the hedgerows and the fence line within each land parcel shall be increased to a minimum of 3m. The details of revisions shall be submitted to the Planning Authority prior to the commencement of development.

    Reason: In the interests of clarity, of visual and residential amenity and biodiversity.

13. Prior to the commencement of development, the developers shall submit to the Planning Authority for agreement a revised Biodiversity Management Plan (BMP) which provides for the long-term monitoring of the site and shall include

the following:

a. Monitoring of mitigation, enhancement and management measures to be implemented;
b. Ornithological and bat activity monitoring of the site;
c. Fatality monitoring with a focus on avian fauna and bats.

Monitoring shall be carried out by suitably qualified and experienced ecologist(s). The results of the monitoring shall be provided to the Planning Authority along with the provision for review and updating of the monitoring programme and mitigation strategy arising from the assessment of results / observations collected during the monitoring, if applicable. Revision of the monitoring programme and/or mitigation strategy shall be in agreement with the Planning Authority.

Reason: In the interest of environmental protection and biodiversity.

14. A pre-construction survey for breeding sites and resting places of protected terrestrial species, in particular Badger, will be carried out by a suitably qualified and experienced ecologist prior to construction works commencing with results of same submitted to the Planning Authority. This should be submitted as a confidential report if there are relevant issues of concern relating to the locations arising. If protected species are found, then appropriate mitigation measures shall be submitted to and agreed in writing with the Planning Authority, prior to commencement of development.

Reason: In the interest of environmental protection and biodiversity.

15. Prior to the commencement of development, the Applicant shall submit a detailed Construction Traffic Management Plan (CTMP) prepared by a suitably qualified transport engineer. The CTMP shall provide details for the management of construction traffic for the duration of the construction phase and shall confirm where road closures and diversions are required and where it is intended to introduce a stop/go system. The CTMP shall also include the requirement for the use of flagmen for all HGV deliveries to Parcels 3 and 4. In addition, the appointment of a resident liaison or point of contact to ensure residents located along the local road network are informed of peak delivery

times, anticipated disruptions or other related matters.

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

16.

a. The cable route shall be constructed in accordance with the requirements of the 'Interim Guidance to Roads Authorities regarding the proposed placement of Medium or High Voltage electricity Assets including ducts, cables and associated infrastructure under public roads'
b. The applicant shall carry out a survey of all the public roads and bridges directly affected by the development. The list of roads and methodology for the survey shall be agreed in writing with the Planning Authority prior to the commencement of development.
c. A full video survey of the existing water table network on public roads subject to cabling shall be carried out and reinstatement works shall be undertaken to the satisfaction of the Planning Authority. All surface water culverts exposed during the cabling excavation works shall be recorded.
d. All public road affected by the cable route shall be fully regulated and resurfaced across their full width.
e. The minimum depth of cover to any cable in the public road or verge shall be 950mm.

Reason: In the interests of orderly development.

17. The construction of the development shall be managed in accordance with a finalised Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The finalised CEMP shall provide details of intended construction practice for the development, including:
    a. location of the site and materials compound(s);
    b. location of areas for construction site offices and staff facilities;
    c. details of site security fencing and hoardings;
    d. details of on-site car parking facilities for site workers during the course of construction;

e. 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;
f. measures to obviate queuing of construction traffic on the adjoining road network;
g. measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
h. details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
i. 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;
j. off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
k. details of on-site re-fuelling arrangements, including use of drip trays;
l. details of how it is proposed to manage excavated soil;
m. 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.
n. hours of construction.

The CEMP shall include a Construction Dust and Noise Management plan. A record of daily checks that the works are being undertaken in accordance with the Construction and Environmental Management Plan shall be kept for inspection by the planning authority.

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

18.

a. Noise levels emanating from the operational phase of the proposed development when measured at Noise Sensitive Locations shall not exceed 45dBA (30 minute LAR) between 0700 hours and 1900 hours, 40 dBA (30 minute LAR) between 1900 hours and 2300 hours and 35 dBA (15 minute Leq) between 2300 and 0700 hours.

b. A noise monitoring survey shall be carried out within 3 months of commissioning of the proposed development. The extent and timing of the survey and monitoring sites used shall be agreed with the Planning Authority in advance. The developer shall carry out at their own expense such additional noise mitigation measures as may be deemed necessary following a review of such noise survey results.

Reason: In the interest of residential amenity.

19. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

    Reason: In order to safeguard the residential amenities of property in the vicinity.

20. 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, coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. This shall cover all reinstatement works associated with the public roads that are impacted by the underground cabling works or that may be damaged by the transport of materials to the site. 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 Coimisiún Pleanála for determination.

    Reason: To ensure the satisfactory restoration of the site in the interest of visual and residential amenity.

21. 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 Coimisiún 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Enda Duignan
Senior Planning Inspector

12th February 2026

Appendix 1: AA Screening Determination
Test for likely significant effects (ACP-323402-25)

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics **Case File: ACP-323402-25**	
Brief description of project	Normal Planning Appeal A 10 no. year permission is sought for the solar PV development with a 40-year operational lifespan. In summary, the development shall comprise: - Solar panels on ground mounted frames, - 23 no. single storey electrical inverter/transformer stations, - 6 no. single storey spare parts containers, - 3 no. Ring Main Units, - 7 no. weather stations, - Underground electrical ducting and cabling within the development site, private lands and within the L62031, L6203, R619, L6207, L22012 and L2204 public roads to connect solar farm field parcels, - Security fencing, - CCTV, - Access tracks, - 4 no. stream/drain deck crossings, - 6 no. horizontal directional drill crossings (under watercourses/drains/public road), - Temporary construction compounds, - Landscaping and all associated ancillary development and drainage works. - Construction and operational access will be via 7 no. entrances from the L62031, L6203, L22012, L6398 and L2204 local roads. See Section 2.0 of Inspectors Report for further detail.
Brief description of development site characteristics and potential impact mechanisms	It is proposed to construct a solar farm development across various land parcels that predominantly comprise improved agricultural grassland are bound by a network of hedgerows and treelines, some with associated drainage ditches. A detailed description of the site and subject proposal is provided in Section Nos. 1 and 2 of the Inspector's report and detailed specifications of the proposal are provided in the AA screening report, EcIA, Aquatic EcIA. CEMP and other planning documents provided by the Applicant. It is noted that there are a number of key hydrological features, including mapped EPA watercourses, that interact with the proposed solar farm site. These include the Cooldrum Stream which bisects the western edge of Parcel 3. The stream flows in a northerly direction, where it enters the Kame River and then ultimately discharges into the Inniscarra Reservoir/River Lee at a location to the south-east of Parcel 2. The Rathonane Stream adjoins the south-eastern and north-eastern boundaries of Parcel 4. This stream flows in a northerly direction and also enters the Kame River to the north. The land

	parcels are also bordered and bisected by network of field drains, many of which ultimately drain to the above mentioned watercourses. I note that Horizontal Directional Drilling (HDD) is also proposed at locations along the proposed interconnector route where it is necessary to cross 2 no. EPA designated streams (Nadrid and Aglish 19 (Lee (Cork)_080)). It is noted that the various land parcels are also bordered and bisected by a network of field drains, many of which ultimately drain to the above mentioned watercourses. Within the AA Screening Report, it is noted that Source – pathway – receptor dynamics were assessed for the Gearagh SAC, the Gearagh SPA and Mullaghanish to Musheramore Mountains SPA (i.e. site's within 15km). It was determined that there is no connectivity (via surface water, groundwater, air or other environmental vectors) between the proposed works and Mullaghanish to Musheramore Mountains SPA. The Gearagh SAC and the Gearagh SPA are located 17km and 18.2km (respectively) upstream of the Kame River confluence with Inniscarra Reservoir and upstream of Carrigadrohid Dam; there is no hydrological connectivity.
Screening report	Yes. Prepared by Greenleaf Ecology.
Natura Impact Statement	No.
Relevant submissions	The Planning Authority's Ecologist concurred with the conclusions of the AA Screening Report. They were satisfied that it can be excluded on the basis of the latest and best objective scientific information following screening that this proposal, individually and/or in combination with other plans or projects, will have a significant effect on the Cork Harbour Special Protection Area or any European Designated Sites in view of their conservation objectives and therefore there will be no adverse effects on the integrity of same. No concerns raised with respect to AA in the report from the Department of Housing, Local Government and Heritage (i.e. NPWS)

Additional Information:
N/A

Step 2. Identification of relevant European sites using the Source-pathway-receptor model
Four (4) no. European site were identified as being located within a potential zone of influence (ZoI) of the proposed development as detailed in Table 1 below.

European Site (code)	Qualifying interests[1] Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections[2]	Consider further in screening[3] Y/N
		SACs		
The Gearagh SAC (000108)	Annex I Habitats Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Rivers with muddy banks with Chenopodion rubri p.p. and Bidention p.p. vegetation	8km	It is noted within the Screening Report that there is no connectivity via surface water, groundwater, or any other pathway. However, in Ireland, female otter territories can be up to c. 7.5km in length and male otter territories can be up to c. 13.2km in size. Otter are therefore considered to be	**Yes**

	[3270] 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] Annex II Species Lutra lutra (Otter) [1355]		within the ZoI of the proposed development.	
SPAs				
The Gearagh SPA (004109)	Wigeon (Anas penelope) [A050] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Coot (Fulica atra) [A125] Wetland and Waterbirds [A999]	9.3km	It is noted within the Screening Report that there is no connectivity via surface water, groundwater, or any other pathway. The habitats present within the site typical comprise agricultural grassland bound by hedgerows, treelines, small pockets of scrub and broadleaved woodland. These habitats are not suitable to support the water dependant SCI for this SPA. Whilst there are a number of watercourses that interact with the site and that discharge into the River Lee/ Inniscarra Reservoir, the bird species observed during the ornithological surveys comprised species that are typical of the agricultural fields present at the proposed site and surrounding landscape. It is noted that no waterbirds birds were observed within the proposed site. Wetland bird species recorded were limited to a Grey Heron and a small number of Great Black-backed Gull within Inniscarra Reservoir to the north of the proposed site and no SCI species for the Gearagh SPA were recorded. Solar panels will have an anti-reflective coating, therefore there is no risk of likely significant effects on SCI species as a result of the “lake effect”.	**No**

			Given the distance between Gearagh SPA, I would concur with the consultant Ecologist that any disturbance/ displacement or ex-situ effects on the SCI of the Gearagh SPA as a result of the proposed development is extremely unlikely.	
Mullaghanish to Musheramore Mountains SPA (004162)	Hen Harrier (Circus cyaneus) [A082]	12.4km	It is noted within the Screening Report that there is no connectivity via surface water, groundwater, or any other pathway. The habitats at the proposed site are not suitable to support Hen Harrier. The site is also outside the core foraging range for Hen Harrier (i.e. 5km). Given the separation distances between the site and the SPA, I would concur with the consultant Ecologist that disturbance/ displacement or ex-situ effects on the SCI for Mullaghanish to Musheramore Mountains SPA are extremely unlikely.	**No**
Cork Harbour SPA (004030)	Little Grebe (Tachybaptus ruficollis) [A004] Great Crested Grebe (Podiceps cristatus) [A005] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141]	25km	Whilst the consultant Ecologist indicated that this site is beyond the zone of influence of the site, there is the potential remote connectivity via the network of watercourses and drainage ditches that interact with the site and discharge into the River Lee/ Inniscarra Reservoir. The River Lee ultimately discharges into Cork Harbour.	**Yes**

	Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Lesser Black-backed Gull (Larus fuscus) [A183] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999]			

Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites

The appeal site is not located within or directly adjacent to a European site, and there are no designated habitats located onsite. Therefore, it is not considered that the proposed development will result in any direct loss or degradation to the habitats designated for the above referenced SAC and SPAs. However, due to the size and scale of the development, impacts generated by the construction and operation of the solar farm development require further consideration. Sources of impact and likely significant effects are detailed in the Table below.

AA Screening matrix

Site name Qualifying interests	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
The Gearagh SAC (000108)	Direct: None. The proposed development does not overlap with the boundary of the European	The construction and operation of the proposed development will not impact on the conservation interests of the site and therefore,

	site. Therefore, there are no European sites at risk of direct habitat loss impacts. As the proposed development does not traverse the European site there is no potential for habitat fragmentation to occur. In addition, there is no potential for habitat destruction, loss of breeding or resting places and no direct mortality related impacts on otter are anticipated. Indirect: It is acknowledged that female otter territories can be up to c. 7.5km in length and male otter territories can be up to c. 13.2km in size. Notwithstanding this, otter are predominantly crepuscular in nature and it is considered that the daytime construction activities will minimise potential disturbance related impacts to this species. Furthermore, the proposed development will retain riparian areas along the watercourses and will not result in inhibition of access by otter. In terms of prey resource for otter, standard pollution control measures would be put in place during the construction phase and are outlined in the submitted Construction and Environmental Management Plan (CEMP), the EcIA and the Aquatic EcIA. These include surface water management, material storage, waste management and other environmental management measures. I am satisfied that these measures are standard practices for construction sites and would be required for a development on any site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. Nonetheless, I consider that, even if the aforementioned best practice construction management measures were not in place, the possibility of significant effects on designated sites is unlikely given the nature and scale of the development, the intervening distance between the development and the designated site and the resultant dilution factor with regard to the conservation objectives of the relevant designated sites and habitats and species involved. I therefore do not include these measures as 'mitigation measures' for the purposes of protecting Natura sites.	no significant effects likely. The need for AA is therefore screened out.
Cork Harbour SPA (004030)	Direct: None. The proposed development does not overlap with the boundary of the European site. Therefore, there are no European sites at risk of direct habitat loss impacts. As the	The construction and operation of the proposed development will not impact on the conservation interests of the site and therefore, no significant effects likely. The need for AA is therefore screened

	proposed development does not traverse the European site there is no potential for habitat fragmentation to occur. Indirect: The proposed development site does not support populations of any species linked with the QI populations of any European site. It is noted that the site supports some habitat i.e. agricultural grassland, which may be utilised by ex-situ field foraging species of the Cork Harbour SPA such as Black-tailed Godwit and Curlew. However, given the prevalence of similar habitat in the immediate and wider environment, including extensive areas of this habitat type adjacent to Cork Harbour, the proposal site is highly unlikely to constitute a critical ex-situ resource for species of conservation interest of this SPA. Noise from the works would be localised to the vicinity of the site. Noise from the works would be deemed to have a negligible impact on the SCIs due to the distance from the SPA. During the construction phase, standard pollution control measures would be put in place and are outlined in the submitted CEMP, the EcIA and the Aquatic EcIA. These include surface water management, material storage, waste management and other environmental management measures. I am satisfied that these measures are standard practices for construction sites and would be required for a development on any site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. Nonetheless, I consider that, even if the aforementioned best practice construction management measures were not in place, the possibility of significant effects on designated sites is unlikely given the nature and scale of the development, the intervening distance between the development and the designated site and the resultant dilution factor with regard to the conservation objectives of the relevant designated sites and habitats and species involved. I therefore do not include these measures as 'mitigation measures' for the purposes of protecting Natura sites. The scheme includes attenuation measures and in order to restrict surface water drainage and sustainable drainage systems (SuDS) will be implemented. The SUDS measures to be incorporated are not included to avoid or reduce an effect to a Natura 2000 Site.	out.

	Likelihood of significant effects from proposed development (alone): **No.**
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?

Step 4: Where relevant, likely significant effects on the European site(s) 'in-combination with other plans and projects'

The proposed development is catered for through land use planning, including the Cork County Development Plan, 2022-2028, covering the location of the application site. This has been subject to AA by the Planning Authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas.

I note that 'In-Combination Effects with Other Plans and Projects in the Area' are considered in Section 4.2.1 of the Applicant's AA Screening Report. The report identifies a number of other developments that have been proposed and permitted planning permission in the area and predominantly relate to medium sized residential developments, quarries and other solar farms within the wider surrounds. In terms of the proposed grid connection, it is noted that the proposed solar farm will be served by a 110kV substation and associated grid connection to the existing Inniscarra Macroom overhead line. It is confirmed that this will be the subject of a future application and will be subject to screening for Appropriate Assessment/ Appropriate Assessment as required.

The Screening Report indicates that the proposed development will have no cumulative impacts upon any designated sites when considered in combination with other developments that have been screened properly for AA (Stage I) or where AA has taken place (Stage II). In addition, I note that any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. Therefore, I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000, as amended) is not required.

This conclusion is based on:

- Objective information presented in the Appropriate Assessment Screening Report and the various documentation supporting the application.
- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- Standard pollution controls for a development of this nature that would be employed regardless of proximity to a European site and effectiveness of same.
- Distance from European Sites.
- Impacts predicted would not affect the conservation objectives.

I note that no measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

Appendix 2 (Form 1) - EIA Pre-Screening

Case Reference	**ACP-323402-25**
Development Address	Aglish, Currahaly, Farnanes, Farran, Knockavullig, Knocknagoul, Knockshanawee, Loughleigh, Mahallagh, Nettleville Demesne, Rathonoane, Rooves Beg, Rooves More, Shandangan East, County Cork.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. **EIA is mandatory. No Screening required. EIAR to be requested.**	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐ Yes, the proposed development is of a Class	

	and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	
☒	Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)**	The development of a solar farm is not a specified class of development in Part 1 or Part 2 of Schedule 5 of the Regulations. In the interests of completeness, the assessment of the proposed solar farm development in relation to the following classes of Part 2 of Schedule 5 of the Regulations is as follows: ▪ **Schedule 5, Part 2, Class 1 (a) Rural Restructuring.** This includes: *"Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment)(Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-countering is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares".* The proposed solar farm development will involve some minor hedgerow removal to facilitate access within the site (c. 86m) but significantly below the 4km threshold. This will not involve the amalgamation, enlargement or restructuring of existing fields. Re-contouring is not proposed as a part of the development. It is considered that the development does come within the scope of this class on the basis that it involves the removal of field boundary hedgerow but that it is subthreshold. ▪ **Schedule 5, Part 2, Class 10 (dd) All private roads.** It is not considered that the private internal access tracks proposed as a part of the development constitute a private road. In this regard I would note that the Board has previously determined that these are tracks and not roads in respect of solar farm developments and do not fall under this Class. (ABP-301028-18, 302681-18 and PL 17.248146 refer).

4. Has Schedule 7A information been submitted?		
No		**Preliminary Examination required**
Yes	✓	**Screening Determination required**

Inspector: _____ **Date**: 12/02/2026

Appendix 3 – Form 3 – Screening Determination			
A. CASE DETAILS			
ACP Case Reference	**ACP-323402-25**		
Development Summary	A 10 year planning permission for the construction and operation of a solar PV farm and all ancillary works.		
	Yes / No / N/A	Comment (if relevant)	
1. Was a Screening Determination carried out by the PA?	Yes	EIA not required.	
2. Has Schedule 7A information been submitted?	Yes	Document entitled Environmental Impact Assessment Screening - Section 3.1.3 notes that notwithstanding the project indirectly resulting in the loss of a very limited amount of hedgerow, well below the mandatory threshold, Section 4 of the Applicant's report screens the proposed development in the context of the criteria set out in Schedule 7 and Annex III of the 2014 Directive.	
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report was submitted at application stage. No NIS was submitted.	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA and AA were undertaken in respect of the Cork County Development Plan, 2022-2028. The site is located within lands governed by this plan.	
B. EXAMINATION		**Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect** (having regard to the probability, magnitude (including population size affected), complexity,	**Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain**

	duration, frequency, intensity, and reversibility of impact)	
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)		
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	The site of the proposed solar farm is predominantly comprised of fields of improved agricultural grassland which are typically bound by mixed hedgerows and trees of varying maturities. The existing network of trees and hedgerows provide varying degrees of screening from the adjoining public roads and vary in height across the site. The proposal will result in the removal of c. 86m of hedgerow where access is required to facilitate field access. It is considered that the volume of hedgerow to be removed is insignificant given the remaining linear features present in the surrounding environment and noting the mitigatory planting proposed as part of the development.	**No**
1.2 Will construction, operation, decommissioning or demolition works causing physical changes to the locality (topography, land use, waterbodies)?	The removal of hedgerows has largely been confined to the access points within the site to facilitate access. Internal and perimeter field boundaries comprising hedgerows and tree lines associated with the solar farm will generally be retained for ecology and landscape protection and are treated as exclusions areas. Existing hedgerows and treelines are to be maintained and enhanced internally throughout the site, with existing hedgerows and treelines commonly known as linear habitats. New hedgerow planting throughout the site to enhance existing hedgerows and create new hedgerows is proposed. No physical changes to the topography of the lands are proposed and earthworks are minimal given the nature of the proposed development.	**No**
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in	Standard construction methods and materials. No significant use of natural resources in operational phase. The loss of natural resources (hedgerow) is	**No**

short supply?	not regarded as significant in nature. Significant hedgerow planting is also proposed throughout the site.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Hedgerow removal activities will require the use of potentially harmful materials, such as fuels and other such substances to power necessary machinery. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures outlined in the submitted CEMP would satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	**No**
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	The works associated with the hedgerow removal will require the use of potentially harmful materials, such as fuels and other similar substances for necessary machinery and may give rise to waste for disposal. However, it is noted that the use of these materials would be typical for construction sites. With the implementation of the standard measures outlined in the CEMP, the project would satisfactorily mitigate any potential impacts.	**No**
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	It is noted that works are proposed within close proximity to field drains and watercourses, a number of which ultimately discharge to the Inniscarra Reservoir/River Lee. However, having regard to the nature of the proposed works and the proposed mitigation measures, particularly those relating to water quality as outlined in the Aquatic EcIA, significant effects on the environment are not likely. No discharge of pollutants to ground water is likely.	**No**

1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Some noise and vibration impacts are anticipated during the hedgerow removal works. However, there are temporary in nature and there will be a localised impact only. Mitigation measures are proposed in submitted CEMP. No operational impacts in this regard are anticipated.	**No**
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	The construction related impacts associated with the hedgerow removal would be temporary and localised in nature subject to the application of standard measures within the CEMP. No significant operational impacts are anticipated with a development of this nature.	**No**
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No significant risk is predicted having regard to the nature and scale of the development.	**No**
1.10 Will the project affect the social environment (population, employment)	It is likely that there will be a minor positive effect on local employment during the construction phase of the proposed development.	**No**
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No.	**No**
2. Location of proposed development		
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	It was concluded that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000, as amended) is not required. There is no NHAs and 4 no. pNHAs are located within 15km of the subject site. In terms of pNHAs, only connectivity exists withthe Lee Valley pNHA (000094). As discussed in the Inspector's Report, no potential impacts have been identified.	**No**

	The development will result in some loss of commuting / foraging habitats for bats by the removal of hedgerow / treelines, however, significant enhancement planting and enhancement measures that will be implemented as part of the proposed development, will strengthen the existing hedgerow / treelines onsite, where required, and provide new foraging and commuting habitat for bats. The Applicant's EcIA concludes that no bats roosts will be impacted, and no derogation is therefore required from the NPWS.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	The surveys undertaken as part of the Applicant's EcIA and Aquatic EcIA found no evidence of sensitive species on the site or in the vicinity likely to be affected by the proposed development. As noted, hedgerow removal is required to facilitate access through the site (c. 86m). It is acknowledged the hedgerow provides habitat for bird species and linear foraging features for bats. While it is noted that there will be some temporary impacts on these species, it is not expected that the removal of hedgerow would result in significant impacts to protected, important or sensitive species subject to compliance with the various mitigation measures outlined in the CEMP.	**No**
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	The application was supported by an Archaeological, Architectural and Cultural Heritage Impact Assessment Report which provides a detailed description and evaluation of the potential, likely and significant impacts of the proposed development on archaeological, architectural and cultural heritage resource of the site. In terms of potential archaeological impacts, I have addressed this in detail in Section 9.2 of this report, and I am satisfied that it has been adequately demonstrated that	**No**

	significant effects on archaeology can be avoided through the implementation of the proposed mitigation measures and through adherence to the conditions of the permission. The modest removal of hedgerows will have no impact on the site's archaeological of cultural heritage.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	Given the nature of the works proposed, there will be no foreseeable impact on any areas of high quality or scarce resources which could be affected by the project.	**No**
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	The Applicant's Aquatic EcIA, Surface Water Management Plan and Site Access and Drainage Report has demonstrated the proposed development will not give rise to a flood risk either on site or elsewhere downstream. Therefore, the hedgerow removal works will not have an impact on flooding on site or elsewhere downstream.	**No**
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	**No**
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	While some traffic disruption is likely during the construction phase, this is expected to be temporary in nature and impacts can be successfully mitigated. The modest hedgerow removal works will not contribute to congestion along key transport routes.	**No**
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	The surrounding area is comprised of agricultural land uses, farm buildings and dwellings. There are also a number of community related uses, such as schools and churches within the wider area. Having considered the minor nature of the hedgerow removal works, no significant impacts on these uses are anticipated as a result of the proposal.	**No**
3. Any other factors that should be considered which could lead to environmental impacts		
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the	I note that the hedgerow removal is proposed as part of a solar farm development which of itself is not a	**No**

construction/ operation phase?	class for the purposes of the EIA Directive. However, it is considered in the context of any resulting potential cumulative effects, including visual/landscape, water, archaeology, transport and biodiversity which are addressed separately in the Planning Assessment within this report. Significant environmental effects from a cumulation of the proposed hedgerow removal with other existing development is unlikely based on a review of the relevant technical reports, the project design decisions and the proposed mitigation measures which effectively reduces the potential for cumulative effects. The Applicant has confirmed that a separate application will made for the substation and grid connection to serve the proposed development, under the provisions of the Planning and Development (Strategic Infrastructure) Act 2006. I have undertaken a review of the Commission's GIS viewer and Local Authority's online planning application register, and I note that no existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project. Overall, I am satisfied that there are no current or previously granted plans or projects in the immediate vicinity of the site that are considered to have the potential to have any significant cumulative effects during the construction or operational phase of the proposed development.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	**No**
3.3 Are there any other relevant considerations?	No	**No**

C. CONCLUSION

No real likelihood of significant effects on the environment.	**Agreed**	**EIAR Not Required**
Real likelihood of significant effects on the environment.		~~EIAR Required~~

D. MAIN REASONS AND CONSIDERATIONS

Having regard to

(a) the nature and scale of the proposed development, which is below the thresholds in respect of Class 1(a) of Part 2 to Schedule 5 of the Planning and Development Regulations 2001, as revised;

(b) The nature and scale of the proposed development, which is significantly below the threshold of 4km for hedgerow removal reinserted by the 2023 amending regulations and is also below the screening threshold set out in the 2011 (Agricultural) Regulations;

(c) The nature of the existing site and the pattern of development in the surrounding area;

(d) The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;

(e) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);

(f) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and;

(g) The features and measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified to be provided as part of the submitted Construction and Environmental Management Plan, the Ecological Impact Assessment, the Aquatic Ecological Impact Assessment, the Site Access and Drainage Report, the An Archaeological, Architectural and Cultural Heritage Impact Assessment Report and the additional supporting information submitted to the Planning Authority

during the course of the application.

It is considered that the proposed development would not be likely to have significant direct, indirect or cumulative effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Inspector _____ **Date 12/02/2026**

Approved (DP/ADP) _____ **Date 12/02/2026**

Appendix 4 - WFD Impact Assessment Stage 1: Screening			
Step 1: Nature of the Project, the Site and Locality			
ACP ref. no.	**ACP-323402-25**	**Townland, address**	Aglish, Currahaly, Farnanes, Farran, Knockavullig, Knocknagoul, Knockshanawee, Loughleigh, Mahallagh, Nettleville Demesne, Rathonoane, Rooves Beg, Rooves More, Shandangan East, County Cork.
Description of project		A 10 year planning permission for the construction of a solar PV development and all associated ancillary development works.	
Brief site description, relevant to WFD Screening,		The appeal site is located entirely within the Lee, Cork Harbour and Youghal Bay WFD Catchment (Catchment_ID: 19). Parcels 1-4 are located within the Lee [Cork]_SC_030 subcatchment (Subcatchment_ID: 19_6) and Parcels 5 & 6 are located within the Lee [Cork]_SC_050 subcatchment (Subcatchment_ID: 19_9). Key hydrological features that interact with the various land parcels and underground cabling include the Cooldrum, Rathonane, Nadrid and Aglish Streams and the Kame River and River Bride. Many of the watercourses discharge into the Inniscarra Reservoir (Lake Water Body code: IE_SW_19_138). In terms of groundwater, the appeal site is underlain by a single Groundwater Body (GWB), being the Ballinhassig East GWB. The site sits above a Locally Important Aquifer and the various land parcels are underlain by a mosaic of 'high', 'extreme', and 'Rock at or near Surface or Karst' vulnerability.	
Proposed surface water details		SUDs which include natural infiltration and permeable access tracks etc.	
Proposed water supply source & available capacity		N/A	

Proposed wastewater treatment system & available capacity, other issues	N/A					
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	**Distance to (m)**	**Water body name(s) (code)**	**WFD Status**	**Risk of not achieving WFD Objective e.g.at risk, review, not at risk**	**Identified pressures on that water body**	**Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)**
River Waterbody	0m	Lee (Cork)_070 IE_SW_19L030 500 This includes the Cooldrum and Rathonaone Streams and the Kame River.	Good	Not at Risk	NA	Yes – the Cooldrum Stream bisects the western edge of Parcel 3. The stream flows in a northerly direction, where it enters the Kame River and then ultimately discharges into the Inniscarra Reservoir/River Lee at a location to the south-east of Parcel 2. The Rathonane Stream adjoins the south-eastern and north-eastern boundaries of Parcel 4. This stream flows in a northerly direction and also enters the Kame River to the north. The land

						parcels are also bordered and bisected by network of field drains, many of which ultimately drain to the above-mentioned watercourses. The proposals also include 1 no. HDD cable crossing of the Kame River for Interconnector 2 (on the L6203 to the south-west of Parcel 2) and 1 no. HDD cable crossing of the upper Rathonoane Stream for Interconnector 4 (on the L6207 to the south of Parcel 4).
River Waterbody	0m	Lee (Cork)_080 IE_SW_19L030 600 Nadrid and Aglish 19	Good	Not at Risk	NA	Yes – Horizontal Directional Drilling (HDD) is proposed at locations along the proposed interconnector route where it is necessary to cross 2 no. EPA designated streams.

River Waterbody	930m downstream	Bride (Lee)_040 IE_SW_19B041 300	Moderate	At Risk	Domestic Wastewater Pressures		Yes – 2 no. HDD cable crossings of the upper "Farran Stream" drains - Interconnectors 2 and 5. 2 no. dry-deck (clear span) crossings of the minor, upper "Farran Stream" drains forming site entrances from L2204 local road to Parcels 5 and 6.
Groundwater Waterbody	Underlying site	Ballinhassig East GWB	Good	Not At risk	NA		Yes – The majority of the site is underlain by 'moderate' vulnerability. However, there are pockets of 'high', 'extreme', and 'Rock at or near Surface or Karst' vulnerability throughout the site.
Lake Water Body	40m	Inniscarra Reservoir (code: IE_SW_19_138)	Good	Not At risk			Yes – Both the Lee (Cork)_070 IE_SW_19L030500 and the Lee (Cork)_080 IE_SW_19L030600 discharge into the Inniscarra Reservoir.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody	Pathway (existing and	Potential for	Screening Stage	Residua	**Determination** to proceed to**

		receptor (EPA Code)	new)	impact/ what is the possible impact	Mitigation Measure*	l Risk (yes/no) Detail	**Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Surface	Lee (Cork)_070 IE_SW_19L030500 This includes the Cooldrum and Rathonaone Streams and the Kame River.	Watercourse is located on site and existing drainage ditches. Crossing of the watercourses using HDD. Construction of dry deck stream/drainage ditch crossing.	Siltation, pH (Concrete), hydrocarbon spillages. Impacts associated with HDD and dry deck crossings.	Standard construction practice mitigation. Adherence to the finalised CEMP, mitigation measures included within Aquatic EcIA and conditions of permission which includes a requirement for the installation of silt fences and other measures to protect surface and ground water quality.	No	Screened out
2.	Surface	Lee (Cork)_080 IE_SW_19L030600	Crossing of the watercourses using HDD	Siltation, pH (Concrete), hydrocarbon spillages. Impacts	Standard construction practice mitigation. Adherence to the	No	Screened out

		This includes the Nadrid and Aglish 19 Streams.		associated with HDD.	finalised CEMP, mitigation measures included within Aquatic EcIA and conditions of permission which includes a requirement for the installation of silt fences and other measures to protect surface and ground water quality.		
3.	Surface	Bride (Lee)_040 IE_SW_19B041300	Crossing of the watercourses using HDD. Construction of dry deck stream/drainage ditch crossing.	Siltation, pH (Concrete), hydrocarbon spillages. Impacts associated with HDD and dry deck crossings.	Standard construction practice mitigation. Adherence to the finalised CEMP, mitigation measures included within Aquatic EcIA and conditions of permission which includes a requirement for the		

					installation of silt fences and other measures to protect surface and ground water quality.		
4.	Ground	Ballinhassig East GWB	Pathway exists. The site sits above a Locally Important Aquifer and the various land parcels are underlain by a mosaic of 'high', 'extreme', and 'Rock at or near Surface or Karst' vulnerability.	Spillages	Standard construction practice mitigation. Adherence to the finalised CEMP, mitigation measures included within Aquatic EcIA and conditions of permission which includes a requirement for the installation of silt fences and other measures to protect surface and ground water quality.	No	Screened out
5.	Lake	Inniscarra Reservoir (code:	Yes - Both the Lee (Cork)_070 IE_SW_19L030500 and	Siltation, pH (Concrete), hydrocarbon	Standard construction practice mitigation.	No	Screened out

		IE_SW_19_138)	the Lee (Cork)_080 IE_SW_19L030600 discharge into the Inniscarra Reservoir.	spillages. Impacts associated with HDD and dry deck crossings.	Adherence to the finalised CEMP, mitigation measures included within Aquatic EcIA and conditions of permission which includes a requirement for the installation of silt fences and other measures to protect surface and ground water quality.		
OPERATIONAL PHASE							
6.	Surface	Lee (Cork)_070 IE_SW_19L030500 This includes the Cooldrum and Rathonaone Streams and the Kame	Pathway exists. Watercourses are located on site and existing drainage ditches.	Siltation, Hydrocarbon spillage.	SUDs features including natural infiltration between arrays, seeding to ensure vegetation growth and permeable access tracks.	No	Screened out

		River.					
7.	Surface	Lee (Cork)_080 IE_SW_19L030600 This includes the Nadrid and Aglish 19 Streams.	NA.	NA	NA	No	Screened out
8.	Surface	Bride (Lee)_040 IE_SW_19B041300	Pathway exists. Watercourse is located on site and existing drainage ditches with downstream connectivity.		SUDs features including natural infiltration between arrays, seeding to ensure vegetation growth and permeable access tracks.		
9.	Ground	Ballinhassig East GWB	Pathway exists. The site is partially located within a Regionally Important Aquifer and is underlain by pockets of Karst, Extreme and High vulnerability.	Spillages	SUDs features including natural infiltration between arrays, seeding to ensure vegetation growth and permeable access tracks.	No	Screened out

10.	Lake	Inniscarra Reservoir (code: IE_SW_19_138)	Pathway exists. Watercourses are located on site and existing drainage ditches with downstream connectivity.	Siltation, Hydrocarbon spillage.	SUDs features including natural infiltration between arrays, seeding to ensure vegetation growth and permeable access tracks.	No	Screened out
DECOMMISSIONING PHASE							
7.	As above for the construction phase.						