



APPENDIX 2-1

*PLANNING CONDITIONS (PL. REF.
00/6590, AN BORD PLEANÁLA
REFERENCE: PL04.127297)*

Condition No.	Condition wording	Status
1	<p>No portion, static or moving, of any part of the installation shall be visible from Viewpoint 3, included in additional information to the Environmental Impact Statement, received by the planning authority on the 25th day of May, 2001. Proposals to ensure compliance with this condition, which may require the omission, relocation or reduction in height of one or more wind turbines, shall be submitted to the planning authority for agreement prior to the commencement of development.</p>	<p>A submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15th January 2004, detailing layout and turbine amendments and wireframes setting out the conditioned amendments.</p>
2	<p>The proposed development shall comply with the requirements of the planning authority in relation to landscaping, roads, protection of the environmental quality of the site and of watercourses in the area, drainage, waste, noise, electromagnetic interference, underground cabling, construction traffic, timing of development works, monitoring of birdlife, watercourses and vegetation, public safety, signage, fencing, decommissioning and site reinstatement.</p>	<p>A submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15th January 2004, setting out in detail how the proposed development will be provided in accordance with the relevant requirements.</p>
3	<p>The developer shall facilitate the planning authority in the archaeological appraisal of the site and in preserving and recording or otherwise protecting archaeological materials or features which may exist within the site. In this regard, the developer shall:-</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:-</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>Prior to commencement of development, a report containing the results of the assessment shall be submitted to the planning authority. Arising from this assessment, the developer shall agree with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.</p>	<p>A submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15th January 2004, outlining the approach to be adopted. Correspondence issued from the Planning Authority accepting the approach as acceptable. Further correspondence issued from SWS Energy services on 17th January 2006 to the Planning Authority, stating that the submission relating to condition np. Correspondence issued from the Planning Authority on the 28th of June 1004 acknowledging that the set out</p>

Condition No.	Condition wording	Status
	In default of agreement on any of these requirements, the matter shall be determined by An Bord Pleanála.	
4	The structure shall be removed at the expiration of a period of 20 years beginning on the date of commissioning of the development.	<p>A submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15th January 2004, setting out in detail how the proposed development will be provided in accordance with the relevant requirements. In relation to this condition the submission stated:</p> <p><i>“This condition relates to CCC planning condition no. 14. Removal of on site structures will entail the removal of all the turbine components, transformers, substation and associated buildings. The developer proposes that the turbines will be removed and bases will be covered over as part of the site decommissioning/reinstatement plan. The additional access tracks created by the wind farm development can be left on site with the benefit of improved site access for landowners or they can be removed and the areas reinstated. This can be agreed with the planning authority at a later stage.”</i></p> <p>In relation to this matter it is important to note that the wind farm was constructed and commissioned in 2006, and accordingly the 20 year period referenced in this condition runs from 2006.</p>
5	Turbines shall not be replaced without the prior grant of planning permission.	This condition was noted in the submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15 th January 2004.
6	Prior to commencement of development, the precise specification of the proposed turbines shall be submitted to and agreed with the planning authority. The submission shall detail materials and proposed external colour and finishes.	The submission dated December 2003 by SWS Group, made to, and stamped as received by, Cork County Council 15 th January 2004, provided details and specifications for an 850kW turbine, specifying hub heights, blade tip heights and colour of the turbines

Condition No.	Condition wording	Status
7	The speed and direction of rotation shall be identical for all turbines on the site.	This condition was noted in the submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15 th January 2004.
8	Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The form and amount of the security shall be agreed between the planning authority and the developer, or in default of agreement, shall be determined by An Bord Pleanála.	Payment of €10,000 was made to the Planning Authority and receipt no. 00078184 issued in correspondence issued 29 th September 2005.
9	"Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory reinstatement of the public road, following completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the road. 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 determined by An Bord Pleanála.	The submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15 th January 2004, noted that the access was discussed with the relevant area engineer and that minimal road works were required.
10	<p>The developer shall pay a sum of money to the planning authority as a contribution towards the expenditure that is proposed to be incurred by the planning authority in respect of road improvement works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.</p> <p>Payment of this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.</p>	The submission dated December 2003 by SWS Group, was made to, and stamped as received by, Cork County Council 15 th January 2004, noted that the access was discussed with the relevant area engineer and that minimal road works were required.