Comhairle Contae Chill Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
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Conor Auld
Fehily Timoney & Co
Core House
Pouladuff Road
Co. Cork
T12 D773

20 Of October 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) -EX 123/2026

A Chara,

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review by the Coimisiún within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.

Tá an doiciméad seo ar fáil i bhformáid eile ar iarratas
This document is available in alternative formats on request
Ba chóir gach comhfhreagras a sheoladh chuig an Stiurthóir Seirbhísí, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development
WICKLOW

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DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

Applicant: BNRG Seabank Limited

Location: Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow

Reference Number: EX123/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1317

A question has arisen as to whether "*the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25" at* Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow is or is not exempted development.

Having regard to:

A. The details within Section 5 application No. EX123/2026 submitted on the 5th October 2026.
B. The Planning History of the site in particular: WCC Section 5 application No. EX08/2026 and PRR25/60313 and PRR19/627 (ABP-305289-19).
C. Sections 2 and 3 of the Planning and Development Act 2000(as amended).
D. Sections 4 (4), 172(1) and 177U(9) of the Planning and Development Act 2000(as amended).
E. Articles 3, 6 and 9 of the Planning and Development Regulations, 2001(as amended).
F. Classes 26 and 27, Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The laying of cable involves operations of construction and excavation and is therefore works having regard to Section 2 of the Planning and Development Act
2. The works would be development under Section 3 of the Planning and Development Act.
3. The provision of 950m of 10kV underground grid connection cable within the corridor of public roads to ink the permitted Ballymoney Solar Farm in the townland of Ballymoney Co. Wicklow to the National grid via the existing Arklow 220kV substation would accord with the provisions of Schedule 2, Part 1, Class 26 of the Planning and Development Regulations 2001 (as amended).
4. Nothing within Article 9 would exclude the development from exemption.
5. None of the restrictions on exempted development provided under section 4 (4) of the Planning and Development Act 2000, as amended, apply in this case

The Planning Authority as recommended by the above named considers that "the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25" at Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow **is development and IS exempted development.** In accordance with reports prepared by the Planning Department

Signed: _____ Date: 30/10/26

ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1317

Reference Number:	EX 123/2026
Name of Applicant:	BNRG Seabank Limited
Nature of Application:	Section 5 Referral as to whether *"the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25"* is or is not development and is or is not exempted development.
Location of Subject Site:	Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow
Report from:	Chris Garde EP Patrice Ryan SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether *"the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25" at* Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow Is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

A. The details within Section 5 application No. EX123/2026 submitted on the 5th October 2026.
B. The Planning History of the site in particular: WCC Section 5 application No. EX08/2026 and PRR25/60313 and PRR19/627 (ABP-305289-19).
C. Sections 2 and 3 of the Planning and Development Act 2000(as amended).
D. Sections 4 (4), 172(1) and 177U(9) of the Planning and Development Act 2000(as amended).
E. Articles 3, 6 and 9 of the Planning and Development Regulations, 2001(as amended).
F. Classes 26 and 27, Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The laying of cable involves operations of construction and excavation and is therefore works having regard to Section 2 of the Planning and Development Act
2. The works would be development under Section 3 of the Planning and Development Act.

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3. The provision of 950m of 10kV underground grid connection cable within the corridor of public roads to ink the permitted Ballymoney Solar Farm in the townland of Ballymoney Co.Wicklow to the National grid via the existing Arklow 220kV substation would accord with the provisions of Schedule 2, Part 1, Class 26 of the Planning and Development Regulations 2001 (as amended).
4. Nothing within Article 9 would exclude the development from exemption.
5. None of the restrictions on exempted development provided under section 4 (4) of the Planning and Development Act 2000, as amended, apply in this case

Recommendation

The Planning Authority as recommended by the above named, considers that "*the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25" at* Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow **is development and is exempted development** in accordance with reports prepared by the Planning Department.

Signed: Dicka Penny Date: 29/10/2026

ORDER:

I HEREBY DECLARE:

THAT "*the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25" at* Within the R772 and L-21731 Public roads in the townlands of Temperainey, Killiniskyduff and Ballymoney, Co. Wicklow is **development and is exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Helene Dempsey Date: 30/10/26

Director of Services
Planning, Economic & Rural Development

WICKLOW COUNTY COUNCIL
Planning Department
Section 5 – Application for declaration of Exemption Certificate

TO:	Edel Bermingham A.S.P / Patrice Ryan S.E.P
FROM:	Chris Garde EP.
SUBJECT REF:	EX 123/2026
DECISION DUE DATE:	01/11/2026
APPLICANT:	BNRG Seabank Ltd
ADDRESS:	Within the R722 and L-21731 Public roads in the townlands of Templerainy, Killinskyduff and Ballymoney, Co. Wicklow
EXEMPTION QUERY:	Whether the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25) and be also considered exempted development?

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Indication of the Sections of the Planning and Development Act or Planning Regulations applicant considers relevant to the Declaration:

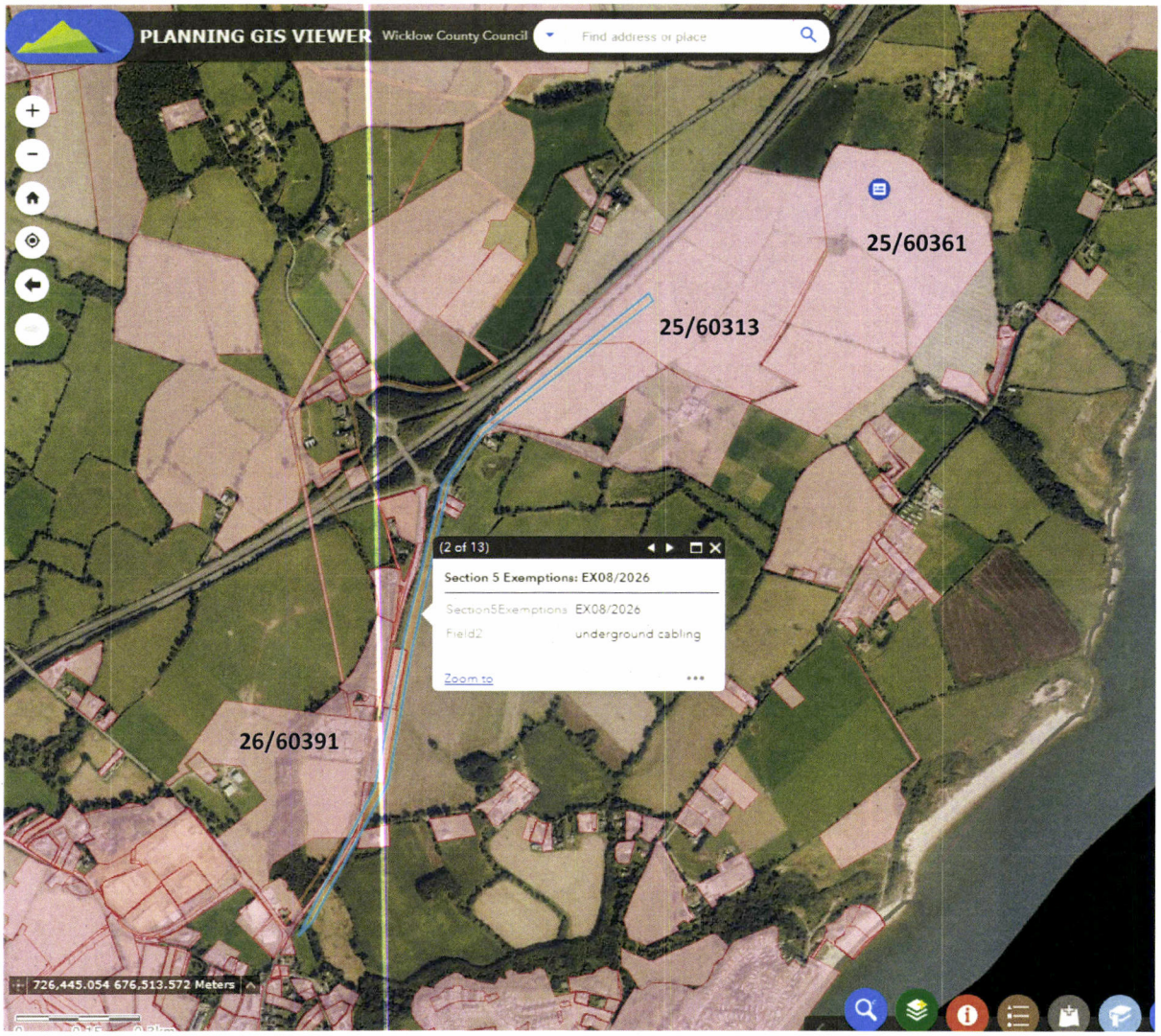
Sections 2(1), 3(1), 4(4), 172(1) and 177U(9) of the Planning and Development Act, 2000, as amended, and; articles 3, 6 & 9 and Class 26, Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended.

Site description:
The subject site/route consists primarily of public roads (R722 and L-21731) located between the Arklow 220kV/100kV Substation and permitted Seabank Solar Farm on private land near L-21731 road development within the townlands of Templerainy, Killinskyduff and Ballymoney Ballinaclough, Rathnew Co. Wicklow (approved under Planning Reference: 25/60313). The application refers to a route of approximately 950m for the proposed underground 10Kv electricity cables to run (within private lands and the local and regional road network) that has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026.

The subject site is located within close proximity to Junction 20 of the M11 to the north with Arklow town centre located further to the south.

Below is an extract from the WCC Planning GIS. The aerial imagery is overlaid with site outlines (relevant Planning Register Reference numbers are included). The indicated route of EX08/2026 is also shown highlighted in cyan:

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Relevant Planning History:

EX08/2026: Applicant: BRNG (Ireland Holdings)
Development: The provision of 950m of 10kV underground grid connection cable within the corridor of public roads to ink the permitted Ballymoney Solar Farm in the townland of Ballymoney Co.Wicklow to the national grid via the existing Arklow 220kV substation in the townland of Killinskyduff Co. Wicklow.
Decision: **IS** development and **IS** exempted development.

25/60361: Applicant: BNRG Seabank Limited
Development: The development period of 10 years for a proposed solar farm and BESS (battery energy storage system) development which will consist of the construction of PV panels mounted on metal frames, inverters, battery storage infrastructure (BESS units, and MV Stations), new access tracks, underground cabling, perimeter fencing with CCTV cameras and access gates, a temporary construction compound, a substation and all ancillary grid infrastructure and associated works. It is proposed to use the consented Ballymoney Solar Farm access point (Pl Ref: 19/627 and ABP Ref: 305289-19). The solar farm and BESS would be operational for 40 years. A Natura Impact Statement (NIS) will be submitted with this application, in the vicinity of the townland of Ballymoney, Arklow, Co. Wicklow.
Decision: First Party Appeal ACP-323198-25 received by ACP on 31/07/2025 (following WCC Refusal)

25/60313: Applicant: BNRG Ballymoney Limited

Development: The development to amend the design of the approved development (Planning Reference: 19/627 and ABP-305289-19) which comprises consent for a Solar Farm within a site area of 19 hectares consisting of solar photovoltaic panels covering an area of up to 9.8ha on ground mounted steel frames, 1 no. on-site substation; 3 no. inverter/transformer stations, underground cables and ducts, boundary security fence, new internal tracks, CCTV cameras and all associated site services within the townland of Ballymoney, near Arklow, Co. Wicklow. Planning permission was sought for a period of 10 years. Proposed amendments include (1) relocation of part of the internal access track, and (2) a gate will be added along the access track, in the vicinity of the townland of Ballymoney, Arklow, Co. Wicklow.

Decision: Grant

19/627 (ABP-305289-19) – **PERMISSION GRANTED** for solar farm within a site area of approx. 19 ha consisting of solar photovoltaic panels covering an area of up to 9.8 ha on ground mounted steel frames, 1 no on site substation, 3 no inverter / transformer stations, underground cables and ducts, boundary security fence, new internal tracks, CCTV cameras and all associated site services. Permission is sought for a period of 10 years

Of Adjacent Relevance

26/60391: Applicant: EirGrid plc

Development: The redevelopment of the existing Arklow 220kV / 110kV substation. The proposed development will take place at the existing substation site and adjacent undeveloped lands, in the townlands of Coolboy, Killinskyduff and Kilbride, Co. Wicklow. The overall site measures approximately 13.69 hectares. The Proposed Development will consist of: The addition of a retaining wall of approximately 130 m in length on the western side of the proposed substation redevelopment area; and site earthworks to construct a finished surface level of the site to 34 mOD (meters above Ordnance Datum); construction of a new 220 kV Gas Insulated Switchgear (GIS) building (71.2 m long, 22.2 m wide, 21.6 m in height) (approximately 1,580 sqm); construction of a new 110 kV GIS building (63.9 m long, 15.9 m wide, 16.5 m in height) (approximately 1,016 sqm); both of the GIS Buildings will have lightning protection spikes / rods on each of the roofs (8 no. on the 220 kV GIS building and 10 no. on the 110 kV GIS building) (each 2.5 m in height);construction of 4 no. 220 kV / 110 kV power transformers, and associated fire walls, and connections to the new GIS buildings; erection of 3 no. lightning masts (height 18.7 m), located adjacent to the 220 kV / 110 kV power transformers, and 3 no. lightning protection spikes / rods associated with the gantry towers located northwest of the proposed 220 kV GIS building (total height of gantry tower and protection spikes / rods 15.0 m); erection of 1 no. 110 kV and 2 no. 38 kV line / cable interface steel lattice towers located to the south of the proposed substation redevelopment area and associated overhead line and cable works; replacement of 1 no. existing 110 kV poleset in the Kilbride Industrial Estate (southwest of the L2180 local road) with 1 no. 110 kV steel lattice tension tower; and replacement of 2 no. 38 kV polesets (northeast of the L2180 local road) with 2 no. 38 kV steel lattice tension towers; rerouting of 220 kV and 110 kV overhead lines to facilitate the proposed development; cable connections to the 220 kV GIS and 110 kV GIS buildings; new 4.5 m wide internal access road and 14 no. new permanent car parking spaces; associated site excavation, infrastructural and site development works; above and below ground boundary treatment and landscaping including property gates.property fencing (1.4?m height), internal security gate, security fencing (2.6?m height), lighting, surface water drainage, surface water attenuation pond and foul water tank; • new access to the substation onto the R772; • associated demolition

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/ removal of substation tower and gantry infrastructure and metal clad switchgear within the existing Arklow substation compound to facilitate connection for the proposed development; • construction of a landowner access track (hardcore surfacing) of approximately 125?m in length and 5?m in width; • all ancillary development works to facilitate the proposed development including geotechnical and geoenvironmental ground investigations, site excavations, above and below ground infrastructure and site development works, site drainage and associated outfall headwall to facilitate surface water discharge to the Templerainy stream, construction access track, site clearance and landscaping; • temporary use of a construction compound and laydown area, measuring approximately 0.6 hectares in area, on lands to the east of the R772, including temporary access onto the R772; and • temporary use of a construction compound and laydown area, measuring approximately 0.073 hectares in area to the south of the proposed substation development area, in the vicinity of the townlands of Coolboy, Killinskyduff and Kilbride, Co. Wicklow.

Decision: Live Application (Awaiting Response to Further Information Request)

Question:

Whether the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020* kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25) and be also considered exempted development?

* It is assumed by the Planning Officer that the reference to the "*Arklow 2020 kV Substation*" was meant to be "*Arklow 220 kV Substation*". This clerical error appears to have been amended within additional documentation submitted by the applicant/agent.

Relevant legislation:

Planning and Development Act 2000 (as amended)

Section 2:

"In this Act, except where the context otherwise requires –

'statutory undertaker' means a person, for the time being, authorised by or under any enactment or instrument under an enactment to – (b) provide or carry out works for the provisions of, gas, electricity or telecommunications services, or (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of, any public undertaking.

'structure' means any building, structure, excavation or other thing constructed or made on, in or under any land, or any part of a structure so defined and—

(*a*) where the context so admits, includes the land on, in or under which the structure is situate, and

(*b*) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in *subparagraph (i)* or *(iii)*;

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...."

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Section 3:
3.—(1) In this Act, except where the context otherwise requires, "development" means—.
(a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land, or
(b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).

Section 4:
(1) The following shall be exempted developments for the purposes of this Act—

(g) development consisting of the carrying out by any local authority or statutory undertaker of any works for the purpose of inspecting, repairing, renewing, altering or removing any sewers, mains, pipes, cables, overhead wires or other apparatus, including the excavation of any street or other land for that purpose.

(*h*) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

Section 4(2) provides that:
The Minister may by regulations provide any class of development to be exempted development. The Regulations which are applicable in this case are the Planning and Development Regulations 2001 (as amended).

Section 4(4) Notwithstanding..... any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required"

Section 172(1) "An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be in respect of an application for consent for –

(a) Proposed development of a class specified in Schedule 5 to the Planning and Development Regulations 2001 which exceeds a quantity area, or other limit specified in that Schedule, and
(b) Proposed development of a class specified in Schedule 5 to the Planning and Development Regulations 2001 which does not exceed a quantity, area or other limit specified in that Schedule but which the planning authority or the Board determines would be likely to have significant effects on the environment."

Section 177U(9) "In deciding upon a declaration or a referral under section 5 of this Act a Planning Authority or the Board, as the case may be shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section"

Planning and Development Regulations 2001(as amended)
Article 3(3) "electricity undertaking" means an undertaker authorised to provide an electricity service".

Article 6 (1) "Subject to Article 9, development of a class specified in column 1 part 1 of schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said part 1 opposite the mention of that class in the said column 1.

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The relevant conditions and limitations are set out in the schedule below:
Schedule 2, Part 1 Development by Statutory Undertakers

Class 26 "the carrying out by any undertaker authorised to provide an electricity service of development consisting of the laying underground of mains, pipes, cables or other apparatus for the purposes of the undertaking."

Class 27 "the carrying out by any undertaker authorised to provide an electricity service of development consisting of the construction of over-head transmission or distribution lines for conducting electricity at a voltage not exceeding a minimal value of 20kV."

Article 9(1) Restrictions on Exemption Development to which Article 6 relates shall not be exempted development for the purposes of the Act –

(a) If the carrying out of such development would

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

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(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,
(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these regulations) ton comply with the procedures for the purposes of giving effect to the Council Directive.

Relevant An Bord Pleanála Referrals:

Ref: RL 3606

Question: whether the laying of underground MV cables to link a substation in the permitted Drumroe solar farm development (Waterford City and County Council Permission Ref. 16/126 – ABP Ref. PL93.246902) to the existing ESBN Kilcloher substation, at Kilclogher and Drumroe, Cappoquin, Co Waterford, is or is not development and is or is not exempted development;

Conclusion: An Bord Pleanála concluded that:
(a) the laying of the underground cables comes within the scope of sections 2(1) and 3(1) of the Planning and Development Act, 2000, Act (as amended), and therefore constitutes development;

(b) the referrer in this case, Highfield Solar Ltd., is a statutory undertaker and an electricity undertaking, within the meaning of Article 3 (3) of the Planning and Development Regulations 2001, as amended;

(c) the carrying out by the referrer of the development in question comes within the scope of Class 26 of Part 1 of Schedule 2 to these Regulations and is therefore exempted development;

(d) None of the restrictions on exemption set out in Section 4 (4) of the Planning and Development Act 2000, as amended, or set out in Article 9 of the Planning and Development Regulations, 2001, as amended, apply in this instance.

Note: **Inspectors Report is available on line at:**
(https://www.pleanala.ie/anbordpleanala/media/abp/cases/reports/302/r302895.pdf?r=142899)

Ref: ABP-302895-18

Question: Whether the provision of a medium voltage (20kV) underground grid connection between a permitted solar farm at Dysart, Johnstownbridge, County Kildare and the Dunfirth ESB substation at Dunfirth, Johnstownbridge, County Kildare is or is not development or is or is not exempted development.

Conclusion: An Bord Pleanála concluded that:
(a) the provision of the underground electricity connection and associated works involves the carrying out of works and, therefore, constitutes development, under sections 2 and 3 of the Planning and Development Act, 2000, as amended,

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A screening report was submitted with respect to the proposed development as part of this Exemption Declaration. The cabling/ ducting proposed is located on lands which are not within or adjacent to any Natura 2000 site. The closest Natura 2000 site is the Buckroney- Brittas Dunes and Fen (c. 3km north east), with the Slaney River Valley SAC at its closest point c. 14km to the south. From examination it is apparent that there is no direct link to either of these Natura 2000 sites.

It is considered that given the nature of the works that the provision of cabling will not give rise to any negative impacts on any Natura 2000 site and therefore the need to proceed to the Second Stage i.e. Appropriate Assessment is not considered necessary in this instance.

In light of the above, it is considered that the provisions of Article 9 of the Planning and Development Regulations 2001(as amended) do not apply in this instance, and therefore the development would be exempted development.

Need for EIA:

The ~~development of a solar farm and the~~ provision of underground electric cabling would not come within any of the prescribed development as set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended).

Roads:

The Declaration would not abrogate the responsibility of the applicants to receive all other consents necessary to proceed with the works.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether *"the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25)"*

is or **is not** development and **is** or **is not** exempted development

The Planning Authority considers that:

The use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland Killiniskyduff. Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref 323198-25)

IS development and **IS** exempted development

Main Considerations with respect to Section 5 Declaration:

A. The details within Section 5 application No. EX123/2026 submitted on the 5th October 2026.
B. The Planning History of the site in particular: WCC Section 5 application No. EX08/2026 and PRR25/60313 and PRR19/627 (ABP-305289-19).
C. Sections 2 and 3 of the Planning and Development Act 2000(as amended).
D. Sections 4 (4), 172(1) and 177U(9) of the Planning and Development Act 2000(as amended).
E. Articles 3, 6 and 9 of the Planning and Development Regulations, 2001(as amended).
F. Classes 26 and 27, Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The laying of cable involves operations of construction and excavation and is therefore works having regard to Section 2 of the Planning and Development Act
2. The works would be development under Section 3 of the Planning and Development Act.
3. The provision of 950m of 10kV underground grid connection cable within the corridor of public roads to link the permitted Ballymoney Solar Farm in the townland of Ballymoney Co.Wicklow to the National grid via the existing Arklow 220kV substation, an electricity undertaker would accord with the provisions of Schedule 2, Part 1, Class 26 of the Planning and Development Regulations 2001 (as amended).
4. Nothing within Article 9 would exclude the development from exemption.
5. None of the restrictions on exempted development provided for under section 4 (4) of the Planning and Development Act 2000, as amended, apply in this case.

~~**Main Reasons with respect to Section 5 Declaration:**~~
~~An Bord Pleanála concluded that:~~

~~(a) The provision of a grid connection involves the carrying out of works and, therefore, constitutes development, under sections 2 and 3 of the Planning and Development Act, 2000, as amended,~~

~~(b) The underground electricity grid connection involves works carried out by an electricity undertaking, and, having regard to the nature of those works, would come within the scope of Class 26 of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, and would, therefore, constitute exempted development,~~

(c) ~~None of the restrictions on exempted development provided for under section 4 (4) of the Planning and Development Act 2000, as amended, apply in this case, and~~

~~(d) None of the restrictions on exempted development provided for under Article 9 (1)(a) of the Planning and Development Regulations, 2001, as amended, apply in this case,~~

Chris Garde
Executive Planner
Date: 28/10/2026

Section 5 to issue in accordance with the recommendation above.
Agreed Patrice Ryan SEP
29/10/2026

Noted H Deneby DOS
30/10/26

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Chris Garde
Executive planner

FROM: Joanne Byrne
A/ Staff Officer

RE:- EX123/2026 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended)

I enclose herewith for your attention application for Section 5 Declaration received 05/10/2026.

The due date on this declaration is the **01/11/2026.**

Joanne Byrne.

A/Staff Officer
Planning, Development & Environment

Comhairle Contae Chill Mhantain
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
Cill Mhantain / Wicklow
Guthán / Tel (0404) 20148
Faics / Fax (0404) 69462
Rphost / Email plandev@wicklowcoco.ie
Suiomh / Website www.wicklow.ie

Conor Auld,
Fehily Timoney & Co,
Core House,
Pouladuff Road,
Co. Cork,
T12 D773

6th October 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended) – EX123/2026

A Chara

I wish to acknowledge receipt on 05/10/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 01/11/2026.

Mise, le meas

Joanne Byrne

Joanne Byrne
A/ Staff Officer
Planning, Economic & Rural Development

FEHILY TIMONEY

DESIGNING AND DELIVERING A SUSTAINABLE FUTURE

Planning Department,
Wicklow County Council
County Buildings
Wicklow
Co Wicklow

Our Ref: P26226-FT-XX-XX-LT-PL-0001

28 September 2026

Re: Section 5 Declaration Application

Whether the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland of Killiniskyduff, Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref. 323198-25) and be also considered exempted development.

Dear Sir, Madam,

This application for a declaration of exemption under Section 5 of the Planning and Development Act 2000 (as amended) [PDA] is submitted by Fehily Timoney & Company, Core House, Pouladuff Road, Cork on behalf of the applicant, BNRG Seabank Limited, of 3rd Floor, 10/11 Exchange Place, IFSC, Dublin, D01N4X6, Ireland.

As the laying of underground cables is exempted development pursuant to Article 6 and Class 26 of Part 1 of the Second Schedule of the Planning Regulations. The applicant seeks confirmation pursuant to Section 5 of the PDA that c. 950 m of 10kV underground grid cables within the corridor of public roads is exempted development.

Correspondence on this application should be sent to Fehily Timoney at the address above. The fee for this Section 5 application of €80 has been made over phone call to Wicklow County Council. The drawings submitted with the Section 5 declaration application Ref EX 08/2026 showed a number of ducts as per Figure 1 below.

WICKLOW COUNTY COUNCIL
05 OCT 2026
PLANNING DEPT.

Cork: Core House, Pouladuff Road, Cork, T12 D773, Ireland
T: +353 21 496 4133
E: info@ftco.ie
www.fehilytimoney.ie

Directors Sinéad Timoney | Bernadette Guinan | Jim Hughes | Ray O'Dwyer
Company Secretary Dave O'Regan
Registered in Ireland, Fehily Timoney & Company Ltd Number 180497
Registered Office: Core House, Pouladuff Road, Cork Ireland
VAT Registration Number IE6580497D

HEALTH & SAFETY ISO 45001 2018 NSAI Certified
QUALITY ISO 9001 2015 NSAI Certified
ENVIRONMENT ISO 14001 2015 NSAI Certified

FEHILY TIMONEY

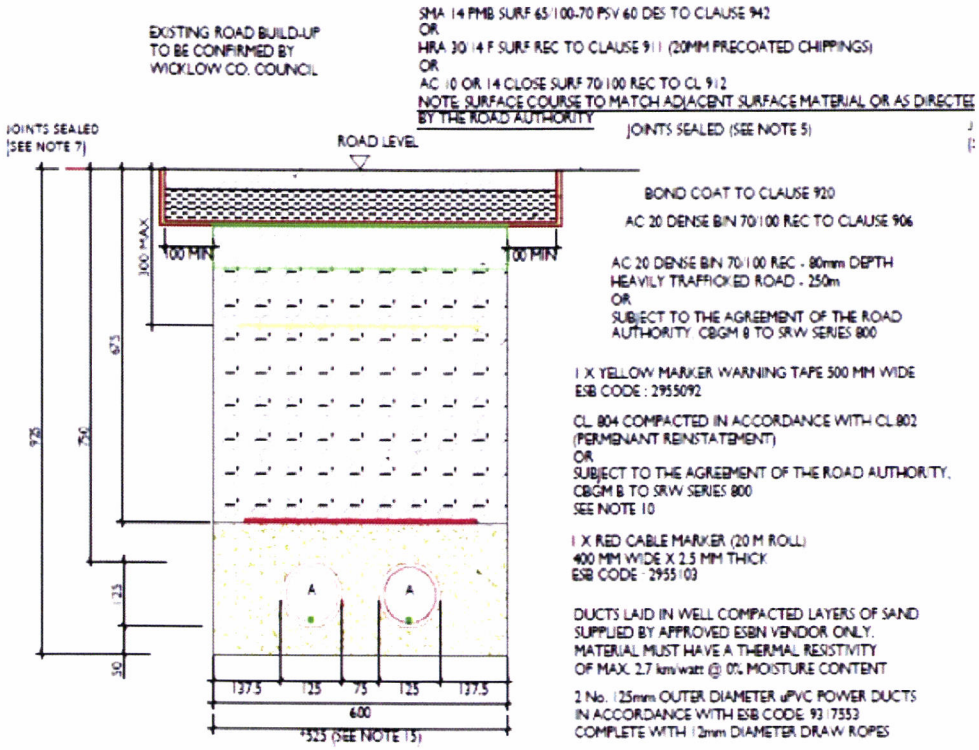


Figure 1: Trench Detail Figure Showing Ducting in Roadway

Following review of the drawings which were deemed exempted development (Wicklow County Council EX 08/2026) it has been determined by the applicants Electrical Consultants that the permitted cable drawings can accommodate an additional 10kV cable connection without any additional works proposed.

Therefore, BNRG Seabank Limited are seeking a declaration from Wicklow County Council that the use of the ducting for Seabank Solar Farm which is immediately adjacent to the Ballymoney Solar Farm is exempted development.

Whilst the status of this proposed grid connection has already been established as exempted development as noted above, the applicant is keen to have a bespoke Section 5 Declaration for the Seabank Solar Farm.

In order to assist with this, we append the full pack of material submitted with the determined Section 5 Declaration under Reference Number EX 08/2026.

FEHILY TIMONEY

If you should require any further information please do not hesitate to contact the undersigned.

Yours sincerely,

Conor Auld

for and on behalf of **Fehily Timoney and Company**

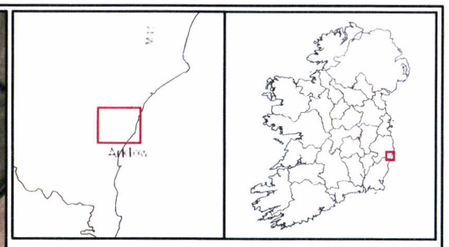
Encl

Figure Showing Location of Grid Connection Route, Seabank Solar Farm and Ballymoney Solar Farm

World Topographic Map: DoBH, OS, Esri, HERE, Garmin, USGS, NGA
Creative Commons Attribution 4.0 International (CC BY 4.0) License: https://creativecommons.org/licenses/by/4.0/ [INPUT SOURCE HERE].
If Applicable: Mapping Reproduced Under Licence from the Ordinance Survey Ireland Licence No. CYAL50368274 © Government of Ireland

Path: R:\Map Production\2026\P26_226\Workspaces\P26_226_Figures\P26_226_Figures.aprx





Legend

- Seabank Solar Farm Site Boundary
- Ballymoney Solar Farm Site Boundary
- Permitted Ballymoney Solar Farm Boundary
- Arklow 220kV Substation
- Solar Farm Substation
- 10kV UGC Grid Connection

N
W E
S

0 100 200 400 Meters

TITLE: Site Location and Indicative Grid Route			
PROJECT: Ballymoney Solar Farm			
FIGURE NO:	INFO		
CLIENT:	BNRG Seabank Limited		
SCALE:	1:10,000	**REVISION:**	0
DATE:	22/09/2026	**PAGE SIZE:**	A3

FEHILY TIMONEY
Cork | Dublin | Carlow
www.fehilytimoney.ie

Wicklow County Council
County Buildings
Wicklow
0404-20100

29/09/2026 15 14 50

Receipt No. L1/0/370265
***** REPRINT *****

FAO KATE
FEEHILY TIMONEY & CO
CORE HOUSE
CORK
T12 D773

EXEMPTION CERTIFICATES		80 00
GOODS	80 00	
VAT Exempt/Non-vatable		

Total 80 00 EUR

Tendered
Credit Card 80 00
4 BNRG SEABANK LTD

Change 0 00

Issued By Nicola Byrne
From Customer Service Hub
Vat reg No 0015233H

Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

Fee Received _____

APPLICATION FORM FOR A DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING & DEVELOPMENT ACTS 2000(AS AMENDED) AS TO WHAT IS OR IS NOT DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT

1. Applicant Details

(a) Name of applicant: BNRG Seabank Limited
Address of applicant: 3rd Floor,
10/11 Exchange Place, IFSC,
Dublin,
D01N4X6,
Ireland.

WICKLOW COUNTY COUNCIL
05 OCT 2026
PLANNING DEPT.

Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

05 OCT 2026
PLANNING DEPT.

(b) Name of Agent (where applicable) Conor Auld on behalf of Fehily Timoney & Company

Address of Agent: Core House,
Pouladuff Road,
Cork, T12 D773

Note Phone number and email to be filled in on separate page.

3. Declaration Details

i. Location of Development subject of Declaration:

Within the R772 and L-21731 Public roads in the townlands of Templerainy, Killiniskyduff and Ballymoney, County Wicklow.

ii. Are you the owner and/or occupier of these lands at the location under i. above ?
Yes/ No. NO

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier

Works are proposed of approximately 950 metres within the R772 and L-21731 Public Roads between the Seabank Solar Farm site and Arklow 220kV substation.

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration:

Whether the use of ducting associated with a 10Kv underground grid connection within the corridor of public roads within the townland of Ballymoney County Wicklow which has been considered to be exempted development pursuant to Wicklow County Council Ref. No. EX08/2026 and facilitates the connection of Ballymoney Solar Farm to the national grid via the existing Arklow 2020 kV Substation in the townland of Killiniskyduff, Co. Wicklow can be utilised also by the Seabank Solar Farm (Wicklow County Council Reg. Ref. 2560361, currently under live appeal with ACP under Ref. 323198-25) and be also considered exempted development.

Additional details may be submitted by way of separate submission.

v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration:

Sections 2(1), 3(1), 4(4), 172(1) and 177U(9) of the Planning and Development Act, 2000, as amended, and; Articles 3, 6 & 9 and Class 26, Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended.

Additional details may be submitted by way of separate submission.

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? NO

vii. List of Plans, Drawings submitted with this Declaration Application

Cover Letter prepared by Fehily Timoney and Company;

Copy of Section 5 Declaration for Wicklow County Council Ref. No. EX08/2026

Appropriate Assessment Screening Report prepared by Fehily Timoney and Company;

Outline Construction Methodology prepared by TLI Group;

Section 5 Drawing pack prepared by TLI Group which includes the following:

- DR-001 – Overall Site Location Map @ 1: 5000
- DR-002 – Site Layout Plan (Sheet 1 of 3) @ 1:1000
- DR-003 – Site Layout Plan (Sheet 2 of 3) @ 1:1000
- DR-004 – Site Layout Plan (Sheet 3 of 3) @ 1:1000
- DR-005 – Ducting Road Temp Reinstatement SD1 & 2 @ 1:10
- DR-006 – Ducting Road Perm Reinstatement SD4 & 5 @ 1:10
- DR-007 – Ducting Access Road @ 1: 10
- DR-008 – Joint Bay Details @ 1: 20
- DR-010 – Ducting Through Concrete Footways @ 1: 10
- DR-011 – Double Circuit Service Crossing Details @ 1: 25, 1: 10

viii. Fee of € 80 Attached? YES paid via card over phone call

Signed: _____ Dated: 28/09/2026

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard

FEHILY TIMONEY

DESIGNING AND DELIVERING
A SUSTAINABLE FUTURE

Planning Department,
Wicklow County Council
County Buildings
Wicklow
Co Wicklow

Our Ref: P24267-FT-EN-XX-RP-PL-0001

19 January 2026

Re: Section 5 Declaration Application:

Whether the provision of a circa. 950m of 10Kv underground grid connection cable within the corridor of public roads to link the permitted Ballymoney Solar Farm in the townland of Ballymoney County Wicklow to the national gird via the existing Arklow 220kV Substation in the townland of Killiniskyduff, Co. Wicklow is or is not development and is or is not exempted development.

Dear Sir/Madam,

1.0 Introduction

This application for a declaration of exemption under Section 5 of the Planning and Development Act 2000 (as amended) [PDA] is submitted by Fehily Timoney & Company, Core House, Pouladuff Road, Cork on behalf of the applicant, BNRG (Ireland) Holdings Limited, of Level 3, Plaza 4, Custom House Plaza, Harbourmaster Place, Dublin 1, D01KP62, Ireland.

We would highlight that this is the same company which submitted the original planning application for the consented Ballymoney Solar Farm (WCC Reg. Ref. 19/627, ACP Ref. 305289 -19). The name of the company has since been novated from BNRG Neoen Holdings Limited to BNRG (Ireland) Holdings Limited.

As the laying of underground cables is exempted development pursuant to Article 6 and Class 26 of Part 1 of the Second Schedule of the Planning Regulations. The applicant seeks confirmation pursuant to Section 5 of the PDA that c. 950 m of 10kV underground grid cables within the corridor of public roads is exempted development.

Correspondence on this application should be sent to Fehily Timoney at the address above. The fee for this Section 5 application of €80 has been made over phone call to Wicklow County Council.

FEHILY TIMONEY

2.0 Schedule of Documents

The following are included with this application:

- Cover Letter prepared by Fehily Timoney and Company (this document);
- Section 5 Application Form prepared by Fehily Timoney and Company;
- Appropriate Assessment Screening Report prepared by Fehily Timoney and Company;
- Outline Construction Methodology prepared by TLI Group;
- Section 5 Drawing pack prepared by TLI Group which includes the following:
    - DR-001 – Overall Location Map @ 1: 5000
    - DR-002 – Site Layout Plan (Sheet 1 of 3) @ 1:1000
    - DR-003 – Site Layout Plan (Sheet 2 of 3) @ 1:1000
    - DR-004 – Site Layout Plan (Sheet 3 of 3) @ 1:1000
    - DR-005 – Ducting Road Temp Reinstatement SD1 & 2 @ 1:10
    - DR-006 – Ducting Road Perm Reinstatement SD4 & 5 @ 1:10
    - DR-007 – Ducting Access Road @ 1: 10
    - DR-008 – Joint Bay Details @ 1: 20
    - DR-010 – Ducting Through Concrete Footways @ 1: 10
    - DR-011 – Double Circuit Service Crossing Details @ 1: 25, 1: 10

3.0 Site Location and Context

The permitted Ballymoney solar farm site is located in the townlands of Ballymoney, Co. Wicklow.

The permitted Ballymoney solar farm lies approximately 2.8km north of the centre of Arklow and 1.5km from the most northern environs of the town. Approximately 6.2km to the northwest of the permitted Ballymoney solar farm is the town of Avoca. The permitted Ballymoney solar farm is bound to the west by the M11 Motorway which connects Wicklow and Dublin. To the south, the permitted Ballymoney solar farm is bordered by agricultural fields and a farmyard. To the east, the permitted Ballymoney solar farm is bordered by agricultural fields and isolated rural dwellings

It is now proposed to connect this permitted solar farm to the national grid via Arklow Substation. Connection for the proposed development to the national grid is intended to be provided via a c. 950 m 10kV underground cable connection to the Arklow 220kV Substation. The proposed 10kV UGC route comprises approximately 950 metres along public roads between the permitted solar farm and the Arklow 220kV substation.

The proposed grid connection route runs through the townlands of Killiniskyduff, Templerainy and Ballymoney.

Figure 1 appended to this letter shows the site location.

FEHILY TIMONEY

4.0 Description of Proposed Development

The proposed development consists of a 10kV Underground Grid Cabling (UGC) route. The grid connection route is approximately 950 m long and will consist of approximately 950 metres within the public road corridor. Connection for the Ballymoney Solar Farm to the Arklow 220kV Substation is intended to be provided on site at a substation which will be built to ESB networks (ESBN) design specifications. Power generated by the solar farm will be exported via a buried grid connection cable connecting the on-site substation to an existing ESBN 220kV Substation at Arklow Substation.

The solar farm, consented under planning reference ACP- Ref. 305289 -19 was successful in the RESS-5 auction under the project name 'Ballymoney PV'. As such, the project has secured support from DCEE to be an offtaker for the energy supplied by the solar farm. This demonstrates the clear intent of the applicant to carry out the construction of this project, with construction intended to commence in 2026.

We further refer the Planning Authority to the relevant case in Millvale, Co. Wicklow Reg. Ref. 17601 and ABP Reg. Ref. PL.27.249025, relating to a solar farm and associated grid connection. In this case, the subject applicant applied for a Section 5 declaration for the associated grid connection, and the grid connection was deemed Exempted Development under Exemption Ref. No. 01/2020. It is of note that BNRG did construct the Millvale development and have previous experience of delivering a similar project of similar scale in Wicklow to that proposed now.

The proposed grid route comprises of the provision of an underground cable running within the majority of the public road corridor from the permitted Ballymoney Solar Farm to the existing Arklow 220kV Substation. The proposed 10kV underground cable (UGC) is within public roads for c. 950 m.

All infrastructure associated with the proposed grid connection works shall be designed and constructed in accordance with ESBN specifications.

The Underground Cable (UGC) 10kV grid connection initially begins at the existing Arklow 220kV Substation. The UGC travels north within the footpath located east of the R772. The Underground Cable (UGC) 10kV grid connection travels for approximately 700m within the eastern footpath of the R772 and roundabout, before transitioning into the L-21731. The UGC then continues northeast along the L-21731 for approximately 250m toward the entrance to Ballymoney Solar Farm lands. The underground interconnector network cables within the corridor of the public roadway pass through the following townlands of Templerainy, Killiniskyduff and Ballymoney.

The route does not traverse any known watercourses, and the cable will be laid within the road hard surface or verge. The exact alignment will be subject to a Road opening licence.

Note that the Outline Construction Methodology prepared by TLI group also refers to the 350 m of grid connection cabling within the solar farm site, which is not subject to this Section 5 declaration application.

FEHILY TIMONEY

4.1 Outline Construction Methodology

TLI Group have prepared an Outline Construction Methodology Report. The purpose of this document is to outline and explain the construction techniques and methodologies that will be implemented during the development of the proposed Ballymoney Solar Farm 10kV double circuit grid connection to the existing Arklow 220kV substation in County Wicklow.

The grid connection will comprise a fully underground cable (UGC) installation in a double circuit configuration. The UGC works will involve the installation of two ducts within an excavated trench to accommodate six power cables. These ducts will be laid across solar farm lands and sections of public road and footpath.

The Outline Construction Methodology Report is intended to serve as a guide to understanding the construction methodologies to be employed. It is important to note that this is an outline document and will be subject to revision and updates prior to the commencement of any construction activities. Detailed Method Statements will be prepared for each specific aspect of the proposed development.

The proposed UGC trench will typically consist of two 125mm diameter HDPE cable ducts installed within an excavated trench measuring approximately 600mm in width and 925mm in depth. Variations to this design will be implemented as required to accommodate bridge crossings, service crossings, and watercourse crossings.

All power cable duct installations and trench reinstatement works will be carried out in accordance with the requirements of the local roads authority for public roads. Electrical cabling will be pulled through the installed ducts in sections of approximately 470 to 490 metres, with adjustments made to facilitate connection to the solar farm.

Construction methodologies and materials will be selected to ensure compliance with all relevant standards and stakeholder requirements, including those of the Council and private landowners.

Please refer to the accompanying Outline Construction Methodology Report, prepared by TLI Group, which documents further details in relation to construction methodologies.

5.0 Planning History

The proposed UGC seeks to connect the permitted Ballymoney Solar Farm to the national grid at the Arklow 220kV Substation. The solar farm was approved by An Coimisiún Pleanála (ACP) under ACP Ref. 305289 -19 on the 12th August 2020 with 12 no. conditions attached. The appeal was made by a 3rd Party Appellant following a favourable decision by Wicklow County Council to grant permission subject to compliance with conditions under Pl. Ref. 19/627.

In addition to the primary planning permission granted for the site, a subsequent planning application was submitted in connection with the original planning file. The purpose of the subsequent planning application was primarily to amend the design of the approved development (Planning Reference: 19/627 and ACP-305289-19). Proposed amendments include (1) relocation of part of the internal access track, and (2) a gate will be added along the access track. Wicklow County Council granted permission subject to compliance with conditions under Pl. Ref. 25/60313.

FEHILY TIMONEY

6.0 Biodiversity

The cable is to traverse public roads only, therefore no impacts are expected on the biodiversity of the area. The attached Appropriate Assessment Screening prepared by Fehily Timoney and Company confirms that no direct, indirect or cumulative significant impacts are envisaged to European sites within the area.

7.0 Archaeology

The study area for this assessment is focused on a 40-metre-wide corridor centred on the cable route corridor.

The study area was assessed in terms of historic landscape, land use, vegetation cover, presence and potential for undetected archaeological and architectural heritage sites/features.

The Heritage Maps Viewer (https://heritagedata.maps.arcgis.com) was consulted to determine if there are any known archaeological features in the immediate area. Figure 2 below identifies the cable route in the context of known archaeological features.

There are no recorded archaeological sites situated within the lands comprising the proposed development area.

Figure 2 appended to this letter shows the sites and monuments in proximity to this development.

The general landscape around the proposed scheme contains a moderate number of recorded archaeological monuments. The closest recorded archaeological sites to the proposed development are two Cremation pits whose centre points are located c.50m (WI040-056----) and c.115m (WI040-058----) to the west of the northern boundary of the subject site.

Furthermore, towards the southern boundary of the subject site, the closest recorded archaeological site to the proposed development is a Ring-ditch whose centre points are located c.93m (WI040-047---) to the east of the southern boundary of the subject site.

Given that the cable will be installed in 'made' ground along an existing access road, the potential to impact on unrecorded archaeology is low.

While the proposed site for the solar energy farm and cable route extends over a relatively large area, and will entail extensive sub-surface ground disturbance, a review of available modern aerial imagery has shown that the entire footprint of the proposed development site has been subject to significant ground works and landscaping during the recent construction of the R772 has recently been resurfaced and enhanced to include a segregated cycle track and pedestrian footpath between the Knockmore roundabout and M11 Junction 20, as part of the National Transport Authority's Arklow North Pedestrian and Cycle Scheme and the cable route follows the alignment of an existing public road and on a private access track within the solar farm lands to the Solar Farm Substation.

The potential for previously unknown archaeological sub-surface remains to survive within the boundaries of the proposed site is therefore considered low. As such it is recommended that no further archaeological works be undertaken in relation to this development.

FEHILY TIMONEY

8.0 Road, Traffic & Transportation

8.1.1 Potential Impacts - Construction Stage

The installation stage of grid cable will result in additional traffic on the roads in the vicinity of the development. This additional trafficking will include the following:

- Construction worker vehicle
- HGVs carrying conventional earthworks equipment such as an excavator, a roller, road paving equipment and a petrol/diesel generator
- Delivery vehicles carrying material for trench filling and removal of excavated material
- Delivery vehicles carrying electrical cabling

The estimated level of traffic generated is not considered to exceed local road network capacity or to give rise to local traffic obstruction.

The UGC installation works will allow for one side of the road to be open to traffic at all times by means of a 'Stop/Go' type traffic management system, where a minimum 2.5m roadway will be maintained at all times where appropriate. Temporary traffic signals will be implemented to allow road users safely pass through the works area by channelling them onto the open side of the road. Typically, the UGC will be installed in 100m sections, and no more than 100m will be excavated without the majority of the previous section being reinstated. Where the construction requires the crossing of a road, works on one carriageway will be completed before the second carriageway is opened, to maintain traffic flows.

Generally, it will take 1 day to lay 100m of 10 kV underground cable. On the basis of this, the works in the public road (c. 950 m) will take no longer than 10 days. Night time working will be deployed where necessary to minimise disruption to the public and road users.

Along the R772, c. 700 m of cabling is proposed. It is proposed to lay the cable in the footpath along the site of the road, as such there is considered to be no impact on road users aside from where works are in the verge of the roundabout, in this instance it is intended to keep one lane of the roundabout open.

Along the L-21731 the underground cable runs for c. 250 m, on this road there are 4no. Eircode receptors. Works will take place in 100 m sections, so no more than 2 and a half days (nights) would be required for works on this road, which would keep traffic disruption to a minimum. It is likely that portions of this road would need to be closed as works are carried out on the 100m sections. Flagmen will be positioned to allow access to local resident traffic only and to also enforce and divert unauthorised traffic accessing the works site.

All construction vehicles will be farmed within the works area so as not to cause additional obstruction or inconvenience to road users or residents. The traffic signals will be in place prior to the works commencing and will remain in place until after the works are completed. The public road will be checked regularly and maintained free of mud and debris. Road sweeping will be carried out as appropriate to ensure construction traffic does not adversely affect the local road condition.

In the event of emergency; steel plates, which will be available on site, can be put in place across the excavation to allow traffic to flow on both sides of the road.

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8.1.2 Potential Impacts - Operational Stage

During operation stage ground works are not anticipated, therefore no potential impacts during operation stage are likely to occur. Hence no mitigation measures are required.

Repair work which requires the excavation of a section of the grid connection route shall employ the same mitigation measures outlined in the Construction Section below / Outline Construction Methodology prepared by TLI Group for construction stage activities.

8.1.3 Potential Impacts - Decommissioning Stage

Ducting for the cables will be left in the ground and cables pulled through, therefore no potential impacts during decommissioning stage are likely to occur. Hence no mitigation measures are required.

8.1.4 Mitigation Measures

Reasonable access to local dwellings, farms and businesses will be maintained at all times during the cable works. The details of this will be agreed with the roads authority in advance of the works in consultation with the local residents in so far as is practicable.

9.0 Legislative Context

The Planning and Development Regulations, 2001, as amended ('Planning Regulations'). have specified several works and use classes whereby if a proposal falls into the specified classifications, these works are normally considered exempted development.

Section 2(1) of the Planning and Development Act, 2000, as amended ('Planning Act') defines "works" as;

> *"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.*

Further to this, Section 3(1) of the Planning Act states as follows:

> *"Development" in this Act means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in use of any structures or other land.*

The relevant exemption for the proposed grid connection works is provided pursuant to **Article 6 and Class 26 of Part 1 of the Second Schedule of the Planning Regulations.** The exemption under Class 26 is in the following terms:

> *"The carrying out by any undertaker authorised to provide an electricity service or development consisting of the laying underground of mains, pipes, cables or other apparatus for the purposes of the undertaking" [Class 26, Column 1]*

No conditions (Column 2) attach to this class of exempt development.

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Article 3(3) of the Planning Regulations states that an electricity undertaking means

> *"an undertaker authorised to provide an electricity service" Section 2(1) of the Planning Act defines "statutory undertaker" as; "Statutory undertaker" means a person for the time being, authorised by or under any enactment or instruction under an enactment to (b) provide, or carry out works for the provision of gas, electricity or telecommunications services."*

It is acknowledged that an electricity generator qualifies as a statutory undertaker in the context of class 26 development.

We refer the Planning Authority to the relevant case in Johnstownbridge, Co Kildare Reg. Ref. ED00656 (PL09.302895) which ACP declared a grid connection for a solar farm as exempted development and which the Inspector found that the applicant (Power Capital Renewable Energy Ltd):

> *"...falls within the category of statutory undertaker on foot of its authorisation under the Planning Act to construct a solar farm that is a project for the provision of electricity."*

BNRG (Ireland) Holdings Ltd as the owner of the permitted Ballymoney Solar Farm thus qualify as a statutory undertaker. It should be further noted that Class 26 allows for 'other apparatus' in addition to pipes and cables.

Article 6(1) of the Planning Regulations states the following:

> *"Subject to article 9, development of a class specified in column 1 of part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1."*

There are no conditions or limitations on this exemption under column 2 of Class 26, other than those contained under Article 9 of the Planning Regulations which are looked in greater detail in section 6.0 below.

10.0 Compliance with Article 9 of the Planning Regulations

The relevant restrictions and responses to each under Article 9 of the Planning Regulations are outlined below:

9(1)(a)(i) Contravene a condition

The proposed development does not contravene any condition of the extant permission under the solar farm parent permission under ACP- 305289 -19 or any other conditions of Planning relevant to this permitted solar farm.

9(1)(a)(ii) Formation, Laying Cut or Materially Widening a means of Access to a public road which exceeds 4m in width.

The proposed development does not result in the creation of any new access or material widening of any roadway. The proposed underground cable is to be laid underneath the existing public road.

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9(1)(a)(iii) Traffic Hazard / Obstruction

The development, being an underground cable, would have no impact on traffic safety when operational. The development requires a road opening licence which will ensure that all matters related to construction of the development are managed to the highest standards.

The consent of the County Council will be required and the necessary road diversions together with the appropriate signage will be put in place pursuant to a Road Opening License.

It is proposed to maintain lane opening and local private access at all times during this element of the works. It is proposed that all access points (domestic, business, agricultural) are considered when finalising the temporary road closures and diversions.

9(1)(a)(iv) Construction of structure

Not relevant to the proposed development.

9(1)(a)(v) Works under public road

1 of Part 1 of Schedule 2 applies

The proposed development relates to works under class 26 of column 1 of Part 1 of Schedule 2 of the Planning Regulations. As such, works are not restricted by Article 9(1)(a)(v).

9(1)(a)(vi) Character of landscape

The proposed development does not affect the character of the surrounding landscape or affect any views of areas of special amenity given the nature of the proposed development. The proposed development is primarily located under the existing public road.

The proposed development is to be located within the public local road for c. 950 m.

During the construction phase of the UGC route, there will be no stockpiling of excavated material. As a result there will be no impact to the character of the surrounding landscape or on any scenic route during the construction phase.

9(1)(a)(vii) A. Excavation

historical, scientific or

There are no recorded archaeological site or their associated ZON recorded on the RMP within 40m of the proposed cable route.

There are no Protected Structures listed on the Wicklow County Council Record of Protected Structures (RPS) within 40m of the proposed cable route.

No archaeological or heritage structures will be affected by the proposed development due to the nature of works within the existing road surface.

The nearest recorded archaeological sites to the proposed development include two cremation pits (WI040-056---- and WI040-058----), located approximately 50m and 115m respectively to the west of the northern site boundary. Additionally, a ring-ditch (WI040-047----) is situated approximately 93m to the east of the southern boundary of the subject site.

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9(1)(a)(viii) Work to unauthorised structure

The proposed development does not consist of any works to an unauthorised structure of unauthorised use.

9(1)(a)(ix) Use of building/Structure supported by Development Plan objective

The proposed development does not affect the use of any building or structure which is supported by an objective of the Wicklow County Development Plan. The works are to be located underground approximately 950 metres along public roads.

9(1)(a)(x) Fencing of land used by public during previous 10 years

The proposed development does not involve the fencing of lands which are normally used by the public.

9(1)(a)(xi) Public rights of way

The proposed development does not obstruct any public rights of way as it is to be placed underground along the existing public roadway and private access tracks. None of which block existing public rights of way.

9(1)(a)(xii) Architectural conservation areas

The proposed development and subject lands are not located within an area designated as an Architectural Conservation Area (ACA).

9(1)(b)(i-iv) Special Amenity Area

The proposed site is not located within an area designated with a Special Amenity Area Order.

9(1)(c) Change of Use

Not applicable to the proposed development.

9(1)(d) Major accident hazards

The proposed development will not have any repercussions on major accident hazards.

9(2) Sub-article (1)(a)(vi) not applicable where development consists of construction of Overhead line not exceeding 100m or conducting electricity from an existing line

Not applicable to the proposed development.

9(3) Sub-article (1)(a)(vii) not applicable which Minister of Government has granted consent

Not applicable to the proposed development.

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12.0 Environmental Impact Assessment

Section 4(4) of the Planning Act effectively de-exempts normal exemptions if a development requires Environmental Impact Assessment or Appropriate Assessment.

The requirement for EIA of certain types of proposed development (is transposed into Irish legislation under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). Section 172(1) of the Planning Act states that:

> *"An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be in respect of an application for consent for –*
>
> *(a) Proposed development of a class specified in Schedule 5 to the Planning and Development Regulations 2001 which exceeds a quantity area, or other limit specified in that Schedule, and,*
>
> *(b) Proposed development of a class specified in Schedule 5 to the Planning and Development Regulations 2001 which does not exceed a quantity, area or other limit specified in that Schedule but which the planning authority or the Board determines would be likely to have significant effects on the environment."*

The proposed development of approximately 950 m of 10kV underground cable would not result any significant effects on the environment due to the characteristics, location and lack of impact from the proposed development. This is in accordance with the criteria laid down in Schedule 7 of the Planning Regulations. The proposed development of the grid connection is similar in scale to other connections which also did not require EIA and were accordingly deemed exempted development.

We refer the planning Authority once again to the relevant case in Johnstownbridge, Co Kildare Reg. Ref. ED00656 (PL09.302895) whereby the Inspector found that:

> *"having regard to the limited nature and scale or works involved, the provision of the medium voltage grid connection between the solar farm development permitted under ref no. 16/1265 and the Dunfirth ESB substation is not likely to have significant effects on the environment"*

Having regard to Schedule 5 Part 1 & Part 2 and Article 103 of the Planning Regulations, the proposed development of approximately 950 m of 10kV underground cable does not require EIA to be undertaken.

In the context of the O'Grianna judgement (O'Grianna and others v ACP) it should be noted that the original solar farm was not subject to EIA and is not a prescribed class of development for the purposes of EIA.

Both the development of the solar farm and proposed grid connection in combination would not require EIA to be undertaken thus this judgement is not applicable.

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11.0 Appropriate Assessment Screening

As outlined in Section 6.0 above, Section 4 (4) of the Planning Act effectively de-exempts normal exemptions if a development requires Environmental Impact Assessment or Appropriate Assessment.

Section 177U(9) of the Planning Act states:

> *"In deciding upon a declaration or a referral under Section 5 of this Act a Planning Authority or the Board, as the case may be shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section".*

In order to inform the planning authority in their determination on whether or not the installation of the proposed underground cable under the existing public roadway would have any negative impact on the surrounding area and in accordance with Article 6 of the Habitats Directive, Fehily Timoney has carried out Stage 1 Appropriate Assessment in accordance with the Habitats Directive.

> *"It is concluded beyond reasonable doubt that there are not likely to be significant effects from the proposed development on the one European sites identified for consideration (or any other European site), either alone or in combination with other plans or projects".*

12.0 Conclusion

Having regard to:

- Sections 2(1), 3(1), 4(4), 172(1) and 177U(9) of the Planning and Development Act, 2000, as amended, and;
- Articles 3, 6 & 9 and Class 26, Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended.

The laying underground of approximately 950 m of 10kV underground cable forming part of the planned renewable energy solar farm at Ballymoney under an existing public road to the Arklow 220kV Substation is exempted development.

We request Wicklow County Council to confirm that this proposed development is acceptable and in accordance with the Planning and Development Regulations.

Yours sincerely,

Conor Auld
for and on behalf of **Fehily Timoney and Company**





Legend

- Site Boundary
- Permitted Solar Farm Boundary
- Arklow 220kV Substation
- Solar Farm Substation
- 10kV UGC Grid Connection



TITLE: Site Location			
PROJECT: Ballymoney Solar Farm			
FIGURE NO:	1		
CLIENT:	BNRG (Ireland) Holdings Limited		
SCALE:	1:6,000	**REVISION:**	0
DATE:	07/01/2026	**PAGE SIZE:**	A3

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WI01839
WI01837
WI01836
WI01846
WI02637
WI02794
WI01840
WI01838
WI02830
WI02829
WI01842
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WI01849
WI02758
WI02021
WI01796
WI01797
WI01799
WI01798
WI02821
WI02820
WI02795

Meters
0 100 200 400



Legend

- Site Boundary
- Permitted Solar Farm Boundary
- Arklow 220kV Substation
- Solar Farm Substation
- 10kV UGC Grid Connection
- Sites and Monuments

TITLE: Sites and Monuments within Proximity of the Development			
PROJECT: Ballymoney Solar Farm			
FIGURE NO:	3		
CLIENT:	BNRG (Ireland) Holdings Limited		
SCALE:	1:15,000	**REVISION:**	0
DATE:	07/01/2026	**PAGE SIZE:**	A3

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ISO A1 594mm x 841mm

NOTES:
- This drawing is to be read in conjuction with relevant drawings, specifications and reports.
- Dimensions are in meters, unless noted otherwise.
- Drawings are not to be scaled. Use figured dimensions only
- Contractor is to complete a full cable scan of the area to identify the location of the any underground services prior to the commencement of works on-site.
- Co-Ordinates to ITM Grid.

Map Series:
Prime Data Vector

ITM Centre Point Co-ordinate:
X,Y = 725394.952, 676017.955

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Overall Site Location Map

Scale: 1:5000

1:5000
100m 0 100m 200m 300m 400m 500m

Project Management Initals: Designer: CH Checked: CK Approved: DB

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PROJECT

Ballymoney Solar Farm
10kV Grid Connection

CLIENT

BNRG RENEWABLES

CONSULTANTS

NOTES: -
- This drawing is to be used only for the purpose of the planning application and is subject to detailed design.
- Position of underground cable and location of joint bays, links boxes and comms chambers may vary depending on site conditions.
- Position of link boxes and comms chambers is to be agreed onsite with EirGrid/ESB.
- Other services may be encountered on the route.
- Position of HDD launch/reception shown points are indicative only and will be subject to site investigation works and detailed design.

LEGEND: -
- Proposed 10kV UGC Route (1.32 km)
- Red Line Planning Boundary
- Solar Farm Boundary
- Ownership Boundary
- Existing 110kV Substation Location

ISSUE/REVISION

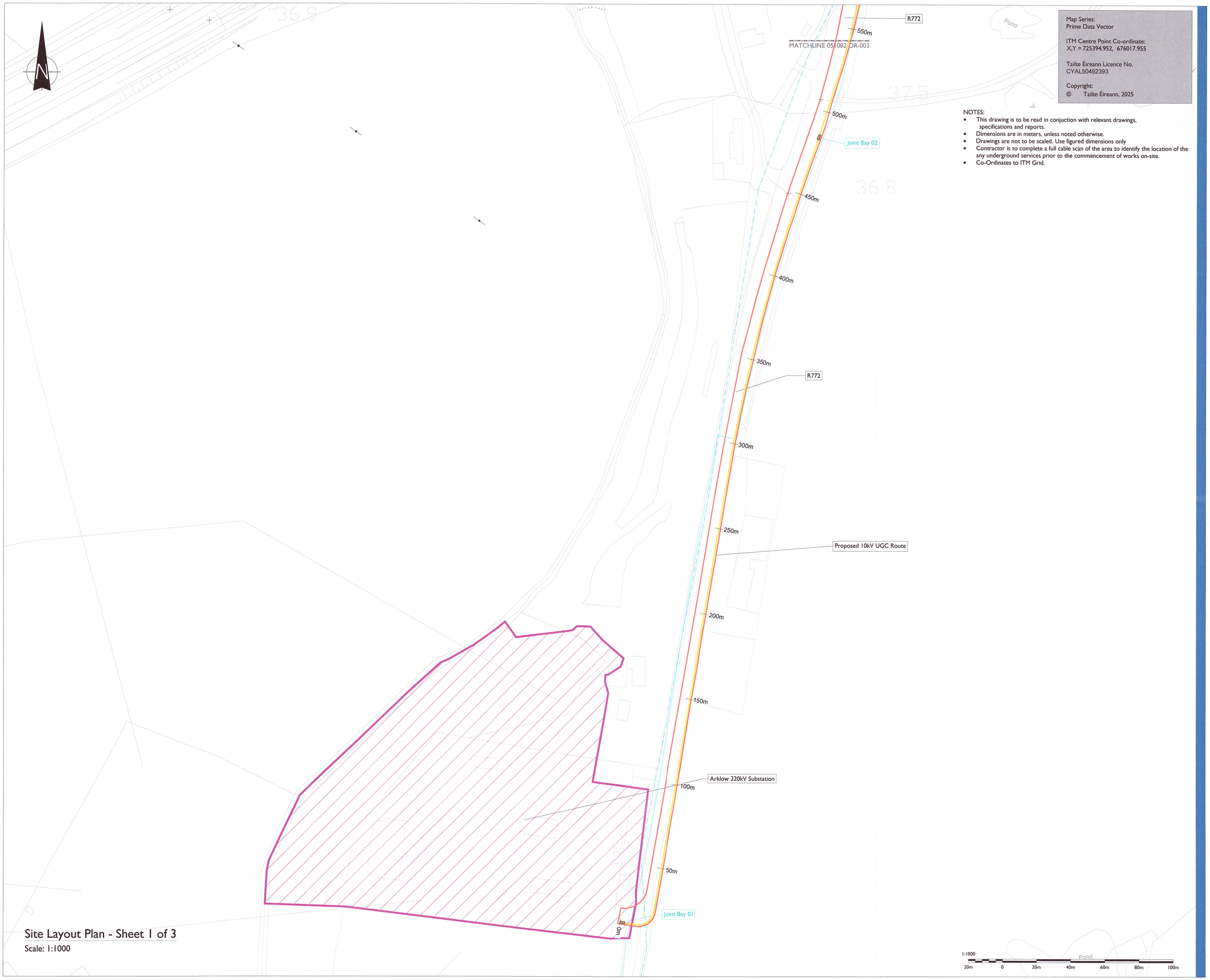
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P4	18.12.25	Issued for Section 5 Planning
P3	11.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.10.25	Issued for Section 5 Planning

PROJECT NUMBER
05-1082

SHEET TITLE
Overall Site Location Map

SHEET NUMBER
05-1082-DR-001

ISO A1 594mm x 841mm



Site Layout Plan - Sheet 1 of 3

Scale: 1:1000

1:1000

20m 0 20m 40m 60m 80m 100m

Map Series:
Prime Data Vector

ITM Centre Point Co-ordinate:
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- Co-Ordinates to ITM Grid.

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PROJECT

Ballymoney Solar Farm
10kV Grid Connection

CLIENT

BNRG RENEWABLES

CONSULTANTS

NOTES: -

LEGEND: -

- Proposed 10kV UGC Route (1.32 km)
- Red Line Planning Boundary
- Irish Water Infrastructure shown thus
- Existing MP Gas
- Existing 110kV Substation Location

ISSUE/REVISION

I/R	DATE	DESCRIPTION
P4	18.12.25	Issued for Section 5 Planning
P3	11.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

PROJECT NUMBER

05-1082

SHEET TITLE

Site Layout Plan
Sheet 1 of 3

SHEET NUMBER

05-1082-DR-002

Project Management Initials: Designer: CH Checked: CK Approved: DB

ISO A1 594mm x 841mm

NOTES:
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- Dimensions are in meters, unless noted otherwise.
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- Co-Ordinates to ITM Grid.

Map Series:
Prime Data Vector

ITM Centre Point Co-ordinate:
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Solar Farm Substation

1250m

1200m

Internal Gate

Ballymoney Solar Farm

Internal Gate

MATCHLINE 05-1082-DR-003

1:1000
20m 0 20m 40m 60m 80m 100m

Site Layout Plan - Sheet 3 of 3

Scale: 1:1000

Project Management Initials:
Designer: CH
Checked: CK
Approved: DB

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PROJECT

Ballymoney Solar Farm 10kV Grid Connection

CLIENT

BNRG RENEWABLES

CONSULTANTS

NOTES: -

LEGEND: -

- Proposed 10kV UGC Route (1.32 km)
- Solar Farm Boundary
- Ownership Boundary
- Existing MP Gas

ISSUE/REVISION

I/R	DATE	DESCRIPTION
P5	19.01.26	Issued for Section 5 Planning
P4	18.12.25	Issued for Section 5 Planning
P3	11.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

PROJECT NUMBER

05-1082

SHEET TITLE

Site Layout Plan
Sheet 3 of 3

SHEET NUMBER

05-1082-DR-004

ISO A1 594mm x 841mm

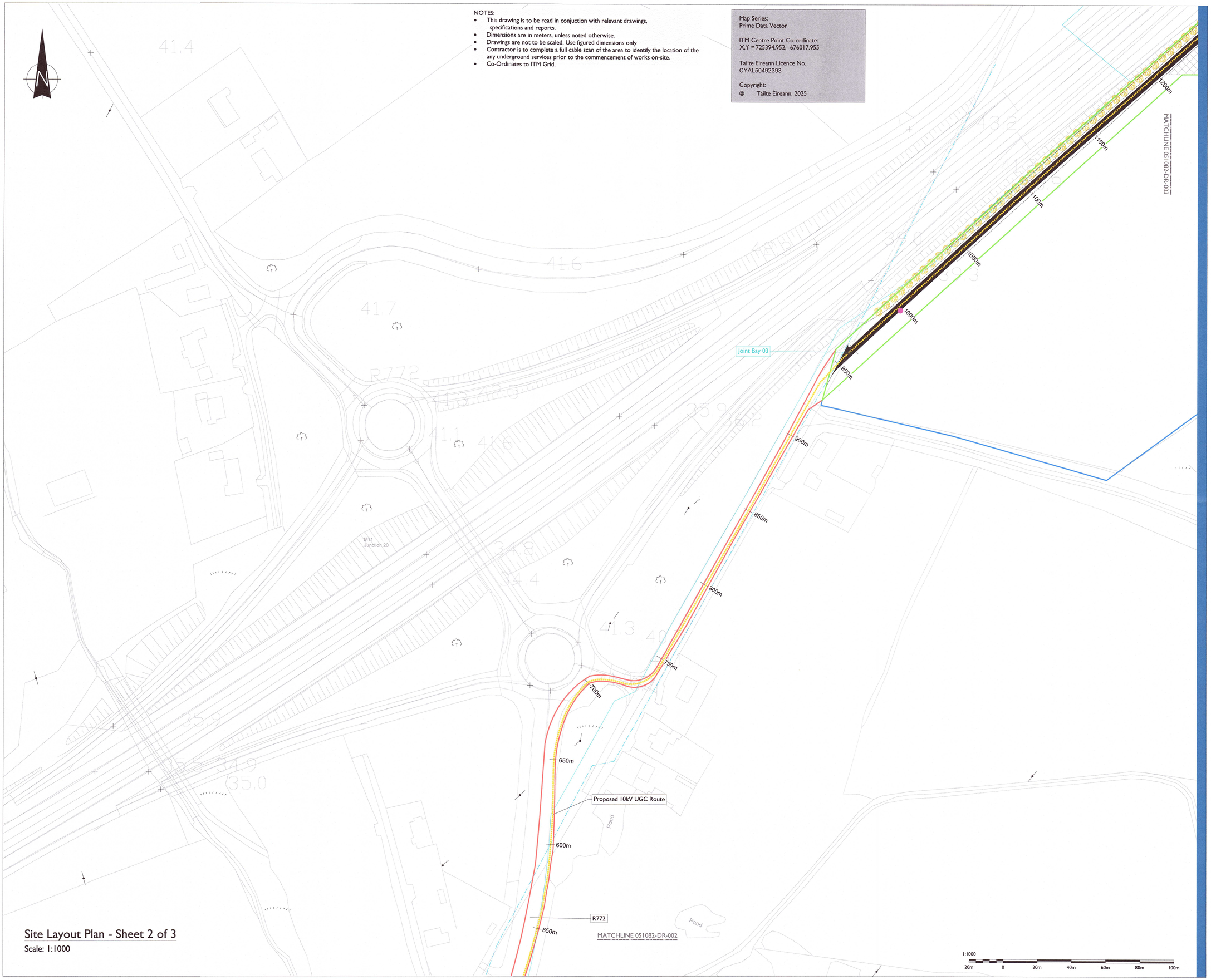
NOTES:
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- Co-Ordinates to ITM Grid.

Map Series:
Prime Data Vector

ITM Centre Point Co-ordinate:
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Site Layout Plan - Sheet 2 of 3

Scale: 1:1000

Project Management Initials: Designer: CH Checked: CK Approved: DB

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Tel: 00 44 1256406664

PROJECT

Ballymoney Solar Farm
10kV Grid Connection

CLIENT

BNRG RENEWABLES

CONSULTANTS

NOTES: -

LEGEND: -

- Proposed 10kV UGC Route (1.32 km)
- Red Line Planning Boundary
- Solar Farm Boundary
- Ownership Boundary
- Irish Water Infrastructure shown thus
- Existing MP Gas

ISSUE/REVISION

I/R	DATE	DESCRIPTION
P4	18.12.25	Issued for Section 5 Planning
P3	11.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

PROJECT NUMBER

05-1082

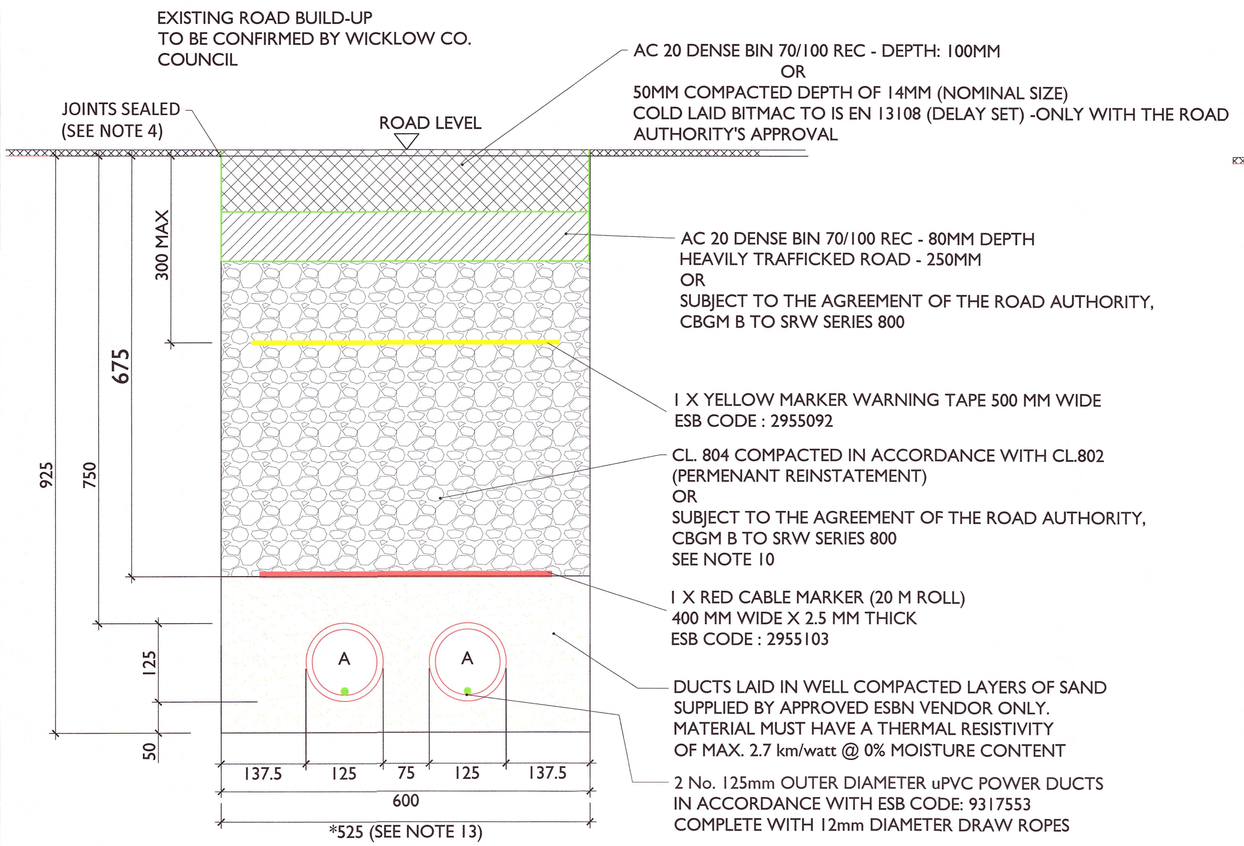
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Site Layout Plan
Sheet 2 of 3

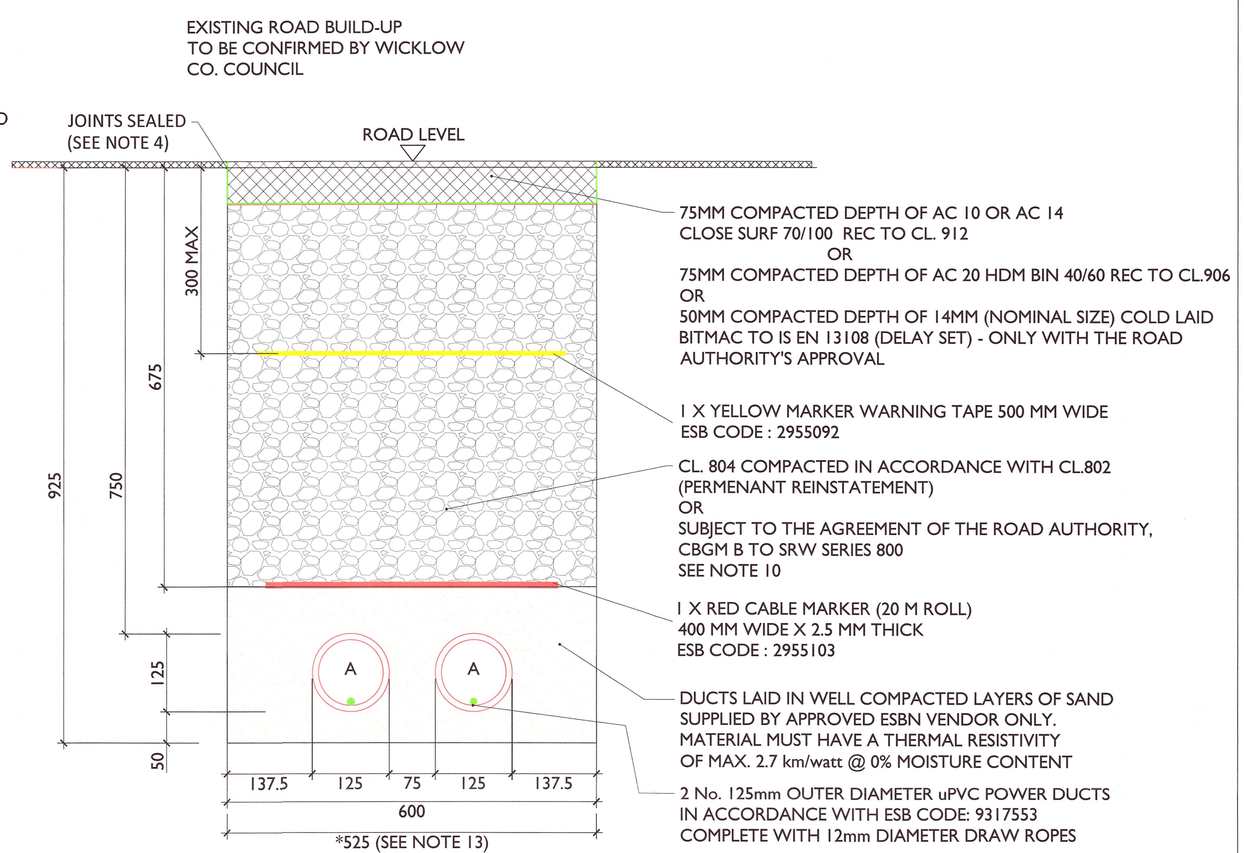
SHEET NUMBER

05-1082-DR-003

Reinstatement details based on Guidelines for Managing Openings in Public Roads - SD1



Reinstatement details based on Guidelines for Managing Openings in Public Roads - SD2



Typical Section Through Temporary Reinstatement of Longitudinal Opening in Roadway

SCALE 1:10

Typical Section Through Temporary Reinstatement of Longitudinal Opening in Dressed Rural Unbound Roadway

SCALE 1:10

Notes:

1. Refer to 'Guidelines for managing Openings in Public Roads (Purple Book - April 2017)', Chapter 6 'Specifications' for guidance on Duct type / colour and Marker Tape type / colour.
2. All bound edges shall be saw cut to expose the full vertical thickness of each layer prior to excavation. All edges shall be essentially straight, smooth and vertical.
3. Clause 808 surface to be sprayed per clause 920 prior to application of Asphalt Concrete Layer.
4. Joint sealer shall be a hot 50 pen bitumen binder or cold thixotropic bitumen 50-70 pen to be applied to all vertical cuts in accordance with B.S. 594987 prior to application of bituminous materials.
5. Licence holder must maintain temporary reinstatement to a safe and acceptable standard.
6. Any damaged area adjacent to the opening and resulting from the excavation operation shall be included within the area to be reinstated.
7. Temporary Road Surface warning signs must be used in accordance with the Traffic Signs Manual (Chaper 8 - Temporary Traffic Measures and Signs for Roadworks).
8. Refer to detail Permanent Reinstatement of Road for advice on permanent reinstatement - all permanent reinstatement shall be carried out when adequate settlement has occurred as determined by the Road Authority.
9. This drawing is to be read in conjunction with relevant drawings, specifications and reports.
10. Dimensions are in millimeters, unless noted otherwise.
11. Drawings are not to be scaled use figured dimensions only.
12. All reinstatement works are to be in accordance with local area engineers requirements and guidelines for managing openings in public roads.
13. 525 mm trench width is also acceptable to ESBN provided trench compaction measures are in accordance with the DDTAS Purple Book Section 6.3.5 requirements (guidelines for managing openings in public roads) or TII specification CC-PAV 04-007 (2019) guidelines for reinstatement of openings in National roads, as appropriate.

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CLIENT
BNRG RENEWABLES

PROJECT
Ballymoney Solar Farm
10kV Grid Connection

PROJECT NUMBER
05-1082

SHEET NUMBER
051082-DR-005

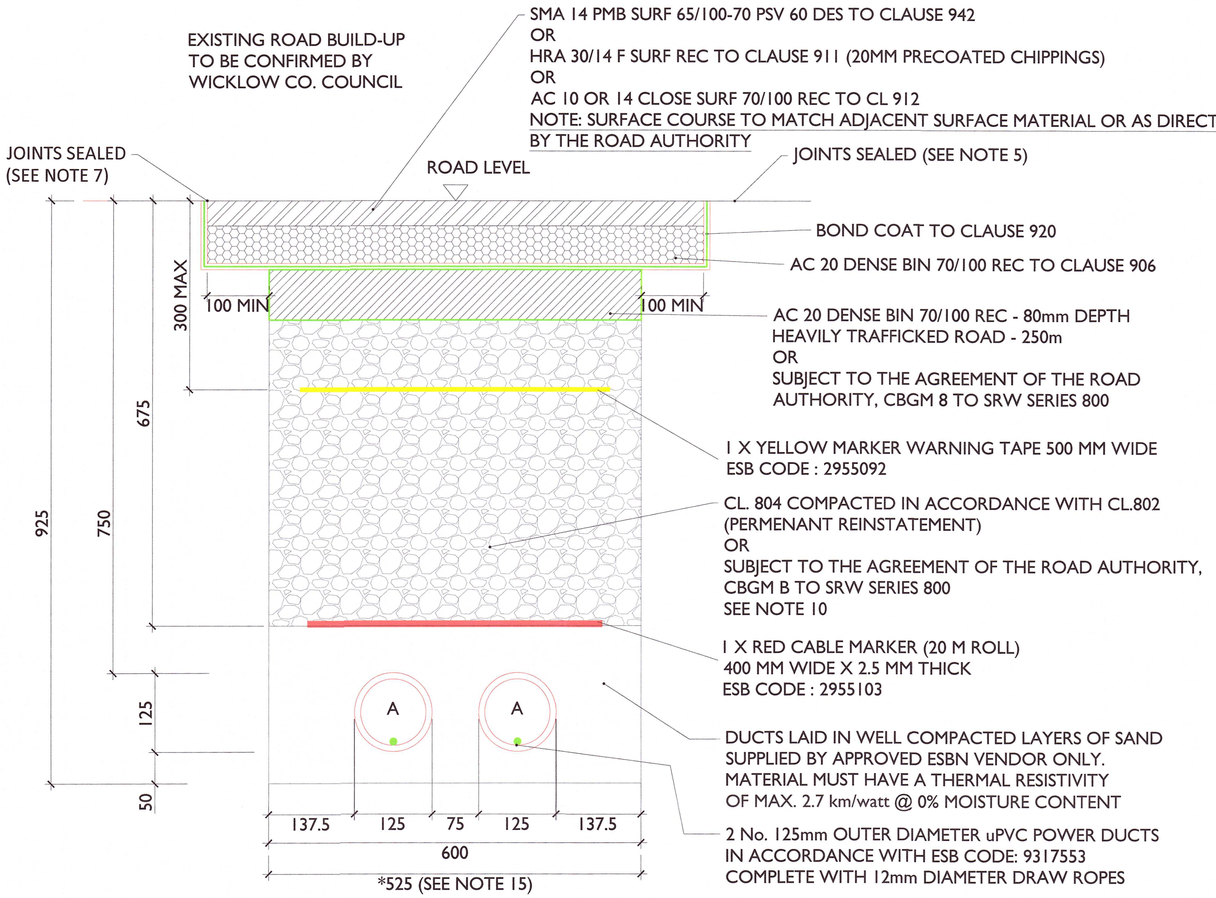
SHEET TITLE
10kV Ducting through Roadway (Temporary Reinstatement)

DRAWING STATUS
For Planning

ISSUE/REVISION

I/R	DATE	DESCRIPTION
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P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

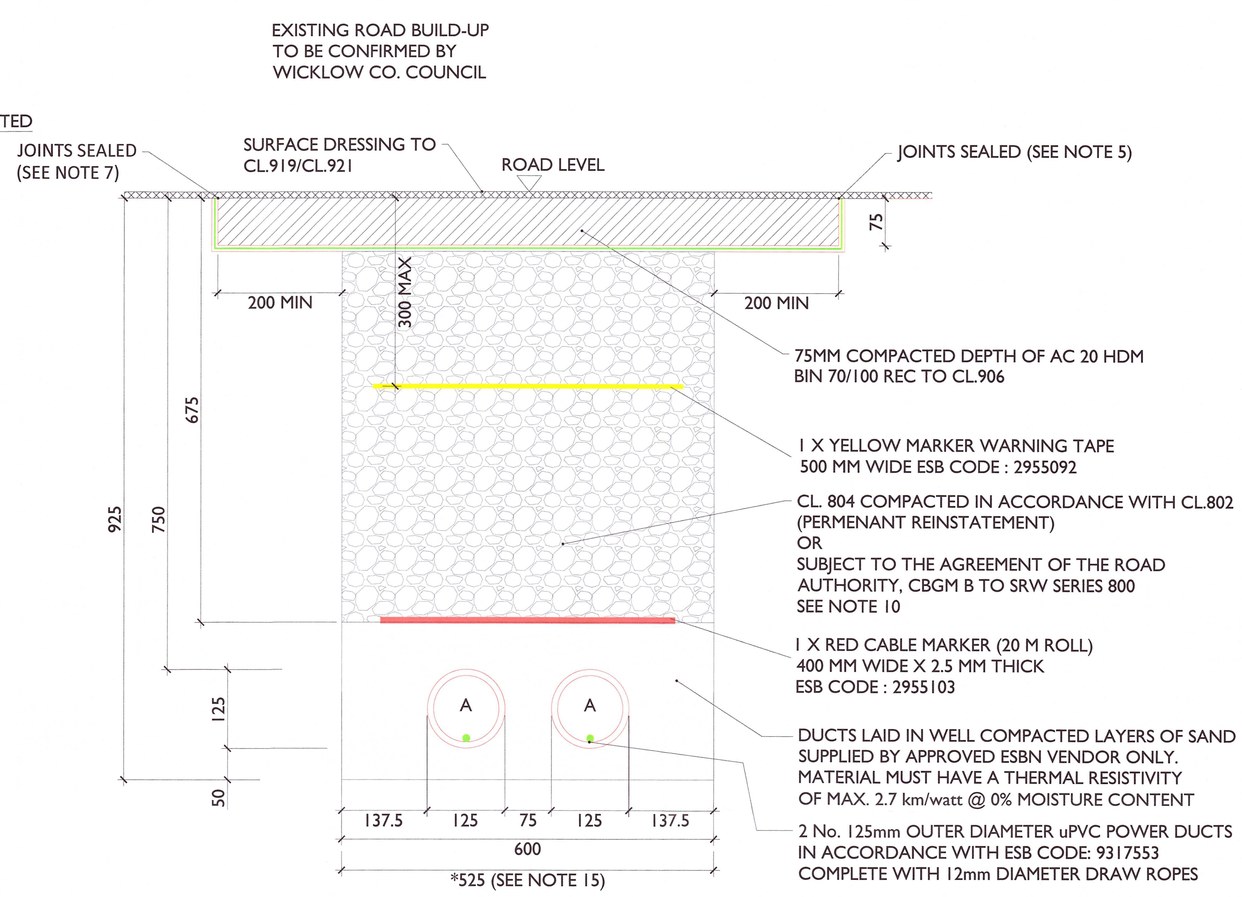
Reinstatement details based on Guidelines for Managing Openings in Public Roads - SD4



Typical Section Through Permanent Reinstatement of Longitudinal Opening in Roadway

SCALE: 1:10

Reinstatement details based on Guidelines for Managing Openings in Public Roads - SD5



Typical Section Through Permanent Reinstatement of Longitudinal Opening in Dressed Rural Unbound Roadway

SCALE: 1:10

Notes:

1. Refer to Guidelines for managing Openings in Public Roads (Purple Book - April 2017), Chapter 6 'Specifications' for guidance on Duct type / colour and Marker Tape type / colour.
2. All bound edges shall be saw cut to expose the full vertical thickness of each layer prior to excavation. All edges shall be essentially straight, smooth and vertical.
3. Where a temporary surface has been used, material shall be planed out to the depth specified in this drawing. The new permanent surface shall be machined laid and mechanically compacted with a vibrating roller.
4. Where the trimmed edge of excavation is within 400mm* of a joint / edge, ironwork or other reinstatement, this trimmed edge shall be extended to include same and the area of reinstatement shall be extended accordingly (* increase to 800mm where this is pre-existing practice).
5. Any damaged area adjacent to the opening and resulting from the excavation operation shall be included within the area to be reinstated.
6. Clause 808 or Cement Bound Granular Material surface to be sprayed per clause 920 prior to application of Asphalt Concrete Layer.
7. Joint sealer shall be a hot 50 pen bitumen binder or cold thixtropic bitumen 50 -70 pen to be applied to all vertical cuts in accordance with B.S.594987 prior to application of bituminous materials.
8. For roads without asphalt concrete surface (e.g. may be Cl.804 with double surface dressing), the road authority may as its discretion permit the temporary reinstatement surface of asphalt concrete to be regulated in lieu of excavation and reinstatement; and subsequently surface dressed.
9. On highly trafficked roads services must have a minimum cover of 750mm.
10. Where required by the Road authority the trench may be reinstated with a Cement Bound Granular Material.
11. All reinstatement works are to be in accordance with local area engineers requirements and guidelines for managing openings in public roads
12. This drawing is to be read in conjunction with relevant drawings, specifications and reports.
13. Dimensions are in millimeters, unless noted otherwise.
14. Drawings are not to be scaled use figured dimensions only.
15. 525 mm trench width is also acceptable to ESBN provided trench compaction measures are in accordance with the DDTAS Purple Book Section 6.3.5 requirements (guidelines for managing openings in public roads) or TII specification CC-PAV 04-007 (2019) guidelines for reinstatement of openings in National roads, as appropriate.

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CLIENT
BNRG RENEWABLES

PROJECT
Ballymoney Solar Farm
10kV Grid Connection

PROJECT NUMBER
05-1082

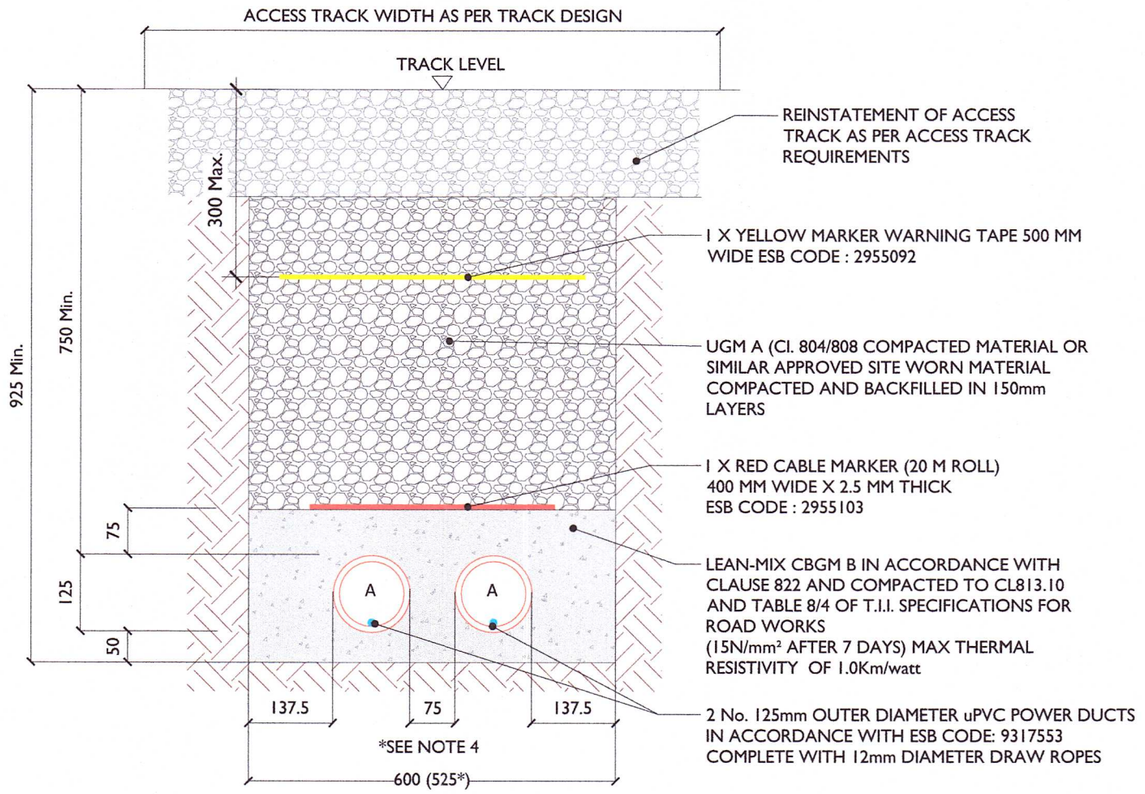
SHEET NUMBER
051082-DR-006

SHEET TITLE
10kV Ducting through Roadway
(Permanent Reinstatement)

DRAWING STATUS
For Planning

ISSUE/REVISION

I/R	DATE	DESCRIPTION
P3	18.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning



Notes:

1. This drawing is to be read in conjunction with relevant drawings, specifications and reports.
2. Dimensions are in millimeters, unless noted otherwise.
3. Drawings are not to be scaled, use figured dimensions only.
4. 525 mm trench width is also acceptable to ESBN .
5. Minimum 3.7m wide access track to be installed over cable for longer off-road sections where there is no existing access track in place.

ALL REINSTATEMENT WORKS ARE TO BE IN ACCORDANCE WITH ACCESS TRACK DESIGN REQUIREMENTS

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10kV Grid Connection

PROJECT NUMBER
05-1082

SHEET NUMBER
051082-DR-007

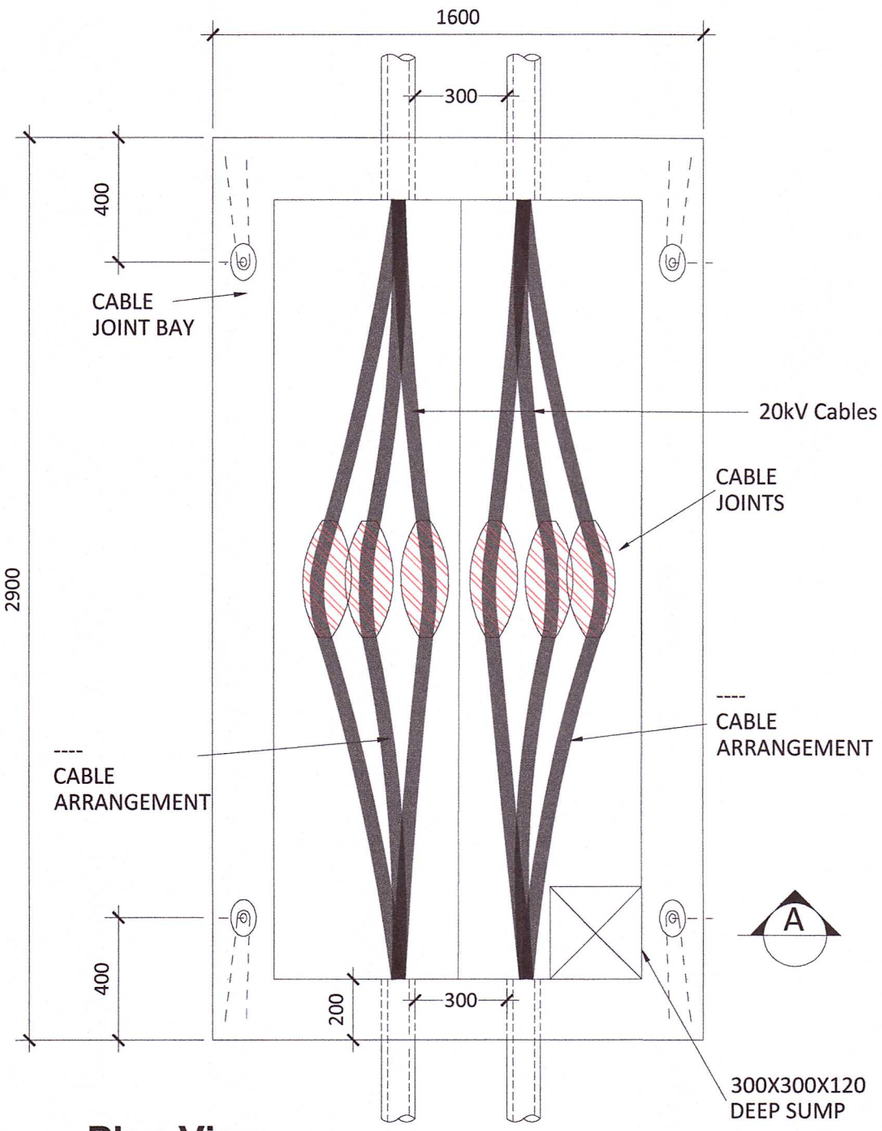
SHEET TITLE
Typical 10kV Ducting Access Road and Off Road Sections

DRAWING STATUS
For Planning

ISSUE/REVISION

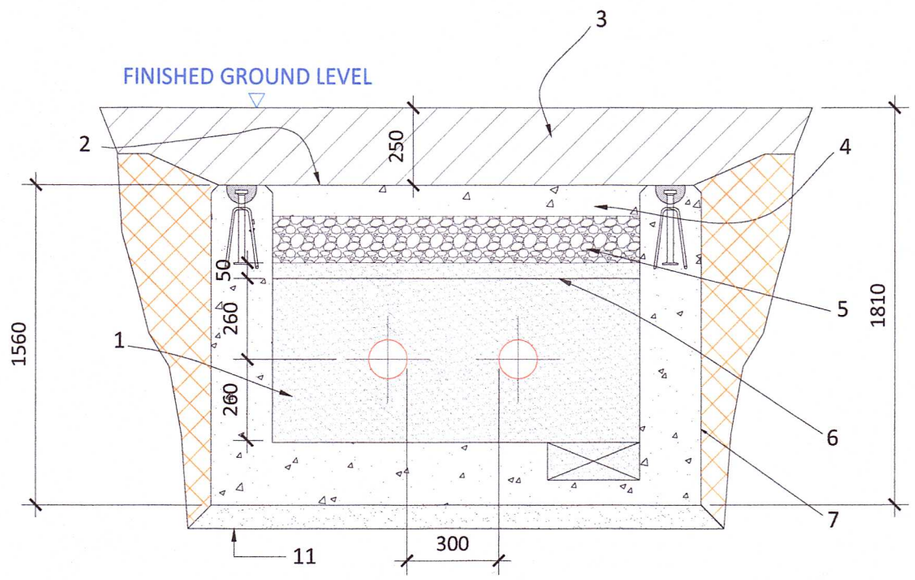
I/R	DATE	DESCRIPTION
P3	18.12.25	Issued for Section 5 Planning
P2	25.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

Typical Precast Concrete Joint Bay Details



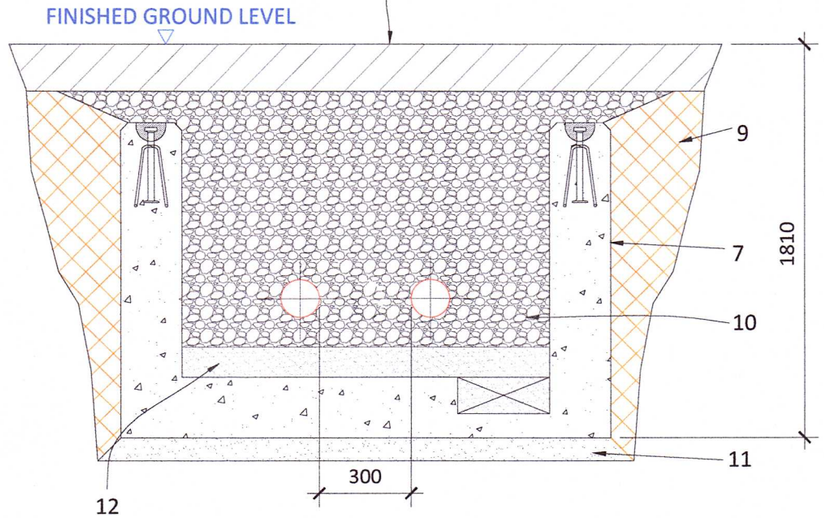
Plan View

SCALE 1:20



Section A-A Permanent Reinstatement

SCALE 1:20



Section A-A Temporary Reinstatement

SCALE 1:20

NOTES:

1. SAND COMPACTED IN LAYERS SO THAT NO RESIDUAL CONSOLIDATION WILL OCCUR
2. 3 NO. 500MM WIDE YELLOW MARKER WARNING TAPE ESB CODE 2955092
3. PERMENANT REINSTATEMENT TO COMPLY WITH LOCAL AUTHORITY SPECIFICATION / DRAWINGS
4. 100mm THICK RED CBGM B IN ACCORDANCE WITH CLAUSE 822 AND COMPACTED TO CLAUSE 813.10 AND TABLE 8/4 OF NRA SPECIFICATION FOR ROADWORKS (15N/MM^2 AFTER 7 DAYS)
5. CL.804 GRANULAR MATERIAL TYPE B COMPACTED IN 150MM THICK LAYER IN ACCORDANCE WITH CL.802, TABLE 8\4 OF NRA SPECIFICATION
6. 3 NO. 400MM WIDE X2.5MM THICK RED CABLE MARKER STRIPS ESB CODE 2955103
7. PRECAST CONCRETE CONSTRUCTION
8. DENSE BITUMEN MACADAM OR CONCRETE TO MATCH THE THICKNESS OF ADJACENT PAVED SURFACE OR TOPSOIL TO SUIT LOCATION
9. GRANULAR BACKFILL TO CL.610 CLASSES 6N OR 6P COMPACTED IN ACCORDANCE WITH CL.612 AND TABLE 6/1 OF NRA SPECIFICATION
10. CL.804 GRANULAR MATERIAL TYPE B. COMPACTED IN LAYERS IN ACCORDANCE WITH CL.802, TABLE 8/4 OF NRA SPECIFICATION OR SUITABLE BACKFILL MATERIAL COMPACTED IN 150MM THICK LAYERS, IN GRASSED AREAS
11. 75MM BLINDING
12. 100MM THICK LAYER OF COMPACTED SAND

GENERAL NOTES:

- THIS DRAWING IS TO BE READ IN CONJUCTION WITH RELEVANT DRAWINGS, SPECIFICATIONS AND REPORTS
- DIMENSIONS ARE IN MILLIMETRES, UNLESS NOTED OTHERWISE
- DRAWINGS ARE NOT TO BE SCALED USE FIGURED DIMENSIONS ONLY
- PRECAST JOINT BAY SUPPLIER TO BE APPROVED BY ESBN

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PROJECT
Ballymoney Solar Farm
10kV Grid Connection

PROJECT NUMBER
05-1082

SHEET NUMBER
051082-DR-008

SHEET TITLE
Typical Precast Joint Bay
10kV Twin Circuit Details

DRAWING STATUS
For Planning

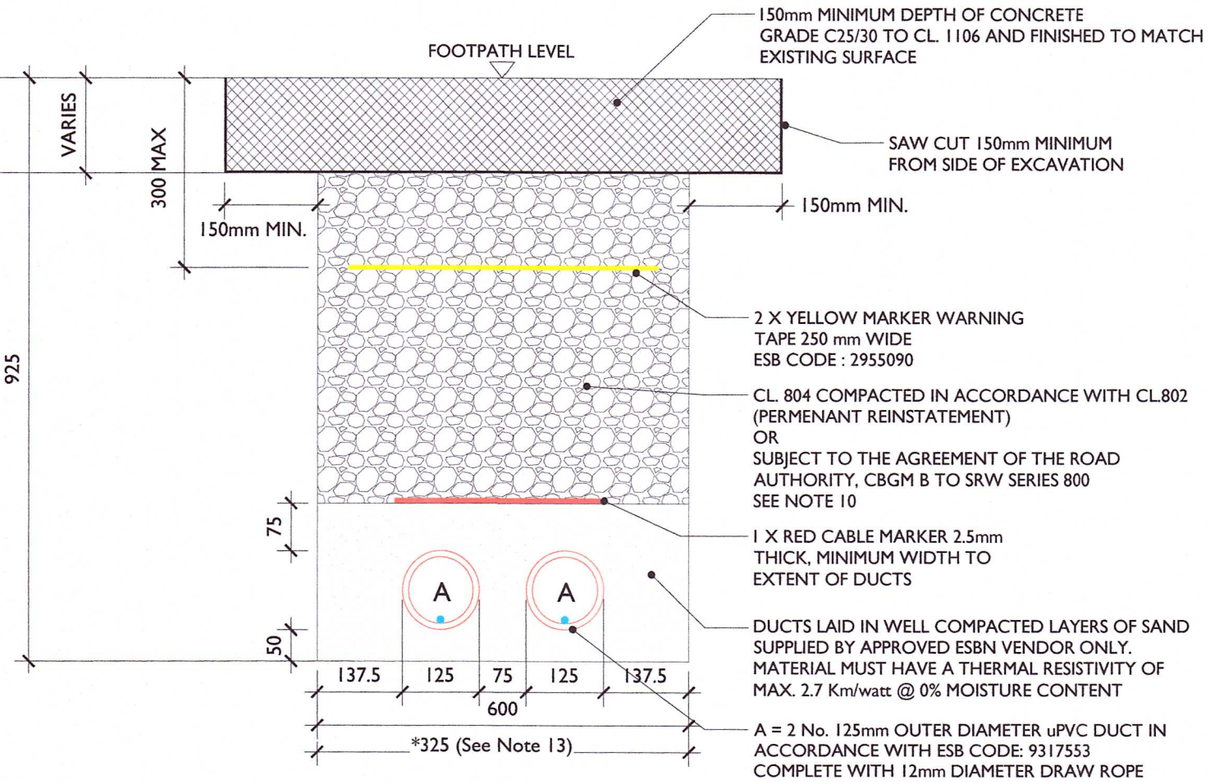
ISSUE/REVISION

I/R	DATE	DESCRIPTION
P3	18.12.25	Issued for Section 5 Planning
P2	19.09.25	Issued for Section 5 Planning
P1	13.01.25	Issued for Section 5 Planning

Reinstatement details based on Guidelines for Managing Openings in Footways: **Concrete** - SD12

ALL REINSTATEMENT WORKS ARE TO BE IN ACCORDANCE WITH LOCAL AREA ENGINEERS REQUIREMENTS AND GUIDELINES FOR MANAGING OPENINGS IN PUBLIC ROADS

EXISTING ROAD BUILD-UP TO BE CONFIRMED BY WICKLOW COUNTY COUNCIL



Typical Section Through Permanent Reinstatement of Footways: Concrete

SCALE 1:10

Note:

1. Refer to 'Guidelines for managing Openings in Public Roads (Purple Book - April 2017)', Chapter 6 'Specifications' for guidance on Duct type / colour and Marker Tape type / colour.
2. Reinforcement mesh (A142 or similar approved) shall be used at the discretion of the road authority.
3. Apron to be 150mm thick at driveways and 300mm thick at commercial access areas or where the footway may be subject to wheel loads.
4. Minimum concrete depth of 150mm may be reduced to 100mm where footway is separated from carriageway by grass verge or bollards.
5. With footways 1.4m wide or less, full width reinstatement is required. In footways exceeding 1.4m wide, the road authority may approve one additional longitudinal joint.
6. For transverse openings, additional area of reinstatement is required to the nearest bay joint. A complete bay shall be reinstated where specified by the road authority.
7. Surface finish to be similar to adjoining areas e.g. Soft brushed, printed pattern etc.
8. Expansion joints in accordance with Clause 1106 to be neatly formed in straight lines, at not greater than 3m centres & arranged to coincide with joints in kerbs. Joints shall be formed by inserting a double layer or roofing felt or other approved material, which shall extend for the full depth of the slab & finished off neatly at the surface.
9. Where the footway is recently constructed (i.e. less than 10 years), the full bay must be replaced.
10. Where the trimmed edge of an excavation is within 400mm of a joint/edge, ironwork or other reinstatement, this trimmed edge shall be extended to include same and the area of reinstatement shall be extended accordingly.All bound edges shall be saw cut to expose the full vertical thickness of each layer prior to excavation. All edges shall be essentially straight, smooth and vertical.
11. Any damaged area adjacent to the opening and resulting from the excavation operation shall be included within the area to be reinstated.
12. Temporary Road Surface warning signs must be used in accordance with the Traffic Signs Manual (Chaper 8 - Temporary Traffic Measures and Signs for Roadworks).
13. Refer to detail Permanent Reinstatement of Road for advice on permanent reinstatement - all permanent reinstatement shall be carried out when adequate settlement has occurred as determined by the Road Authority.
14. This drawing is to be read in conjunction with relevant drawings, specifications and reports.
15. Dimensions are in millimeters, unless noted otherwise.
16. Drawings are not to be scaled use figured dimensions only.
17. All reinstatement works are to be in accordance with local area engineers requirements and guidelines for managing openings in public roads.
18. Where works are in close proximity to trees/tree roots compliance with BS 5837:2012 is required.

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CLIENT: BNRG RENEWABLES

PROJECT: Ballymoney Solar Farm 10kV Grid Connection

PROJECT NUMBER: 05-1082

SHEET NUMBER: 051082-DR-010

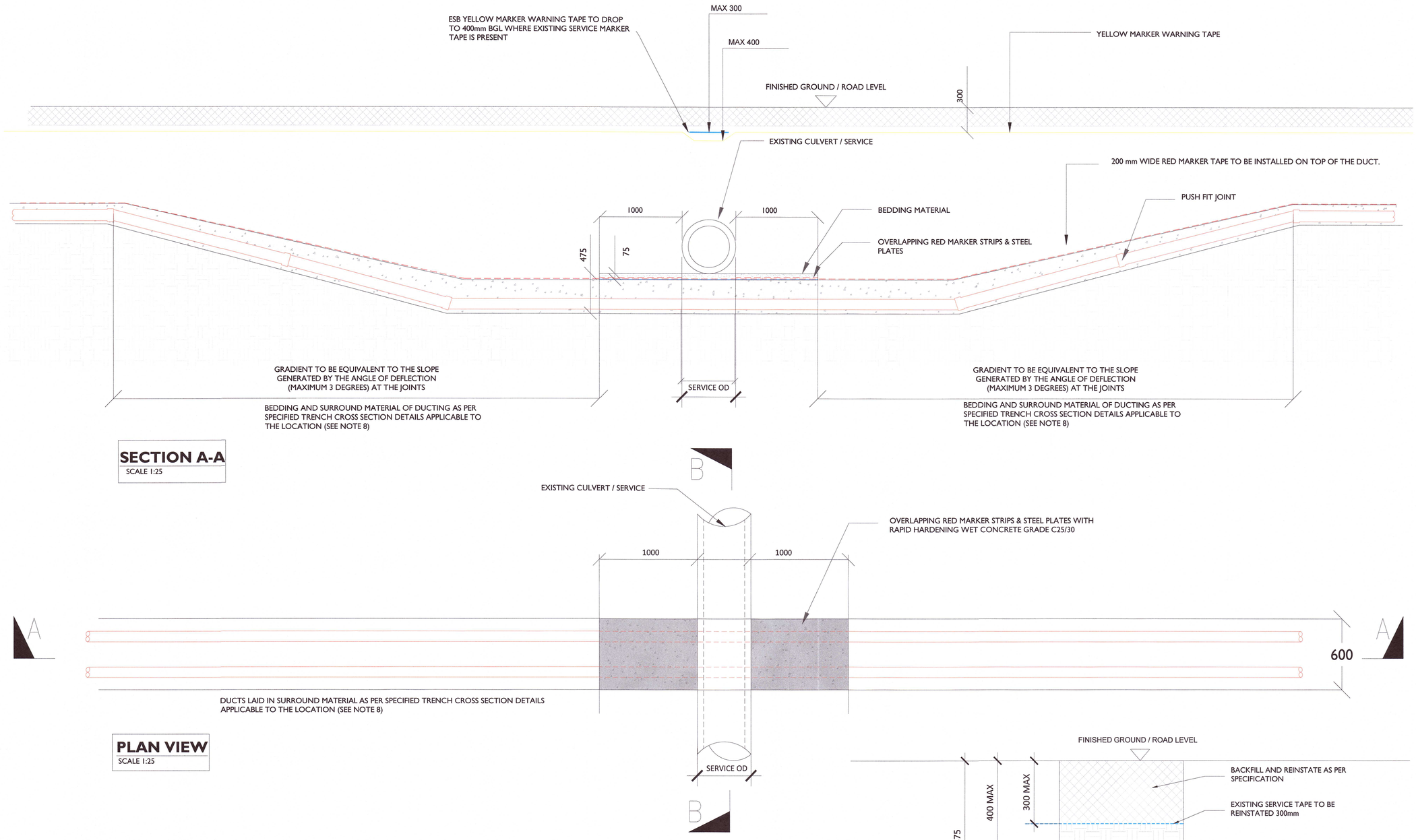
SHEET TITLE: Ducting through Concrete Footpaths Permanent Reinstatement

DRAWING STATUS: Issued for Information

ISSUE/REVISION

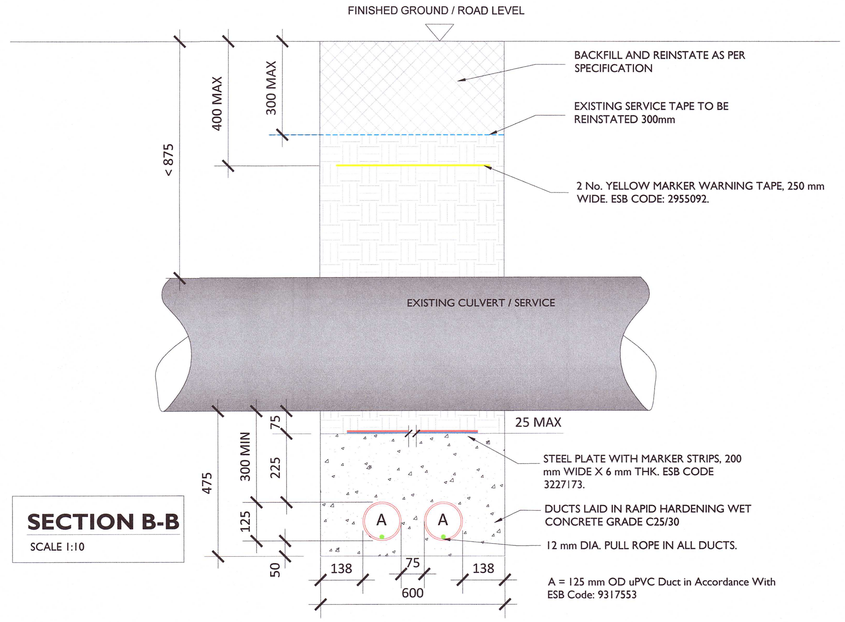
I/R	DATE	DESCRIPTION
P2	18.12.25	Issued for Section 5 Planning
P1	25.09.25	Issued for Section 5 Planning

ISO A1 594mm x 841mm



SECTION A-A
SCALE 1:25

PLAN VIEW
SCALE 1:25



SECTION B-B
SCALE 1:10

NOTES:

1. THIS DRAWING IS SUBJECT TO ESB DESIGN APPROVAL AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT INFORMATION AND DOCUMENTATION.
3. DO NOT SCALE FROM THIS DRAWING, USE ONLY PRINTED DIMENSIONS.
4. ALL DIMENSIONS ARE IN MILLIMETRES. ALL CHAINAGES, LEVELS AND COORDINATES ARE IN METRES UNLESS DEFINED OTHERWISE.
5. NO EXCAVATION SHALL COMMENCE UNTIL THE CONTRACTOR HAS CONSULTED UP TO DATE SERVICES DRAWINGS AND CARRIED OUT AN ELECTROMAGNETIC LOCATOR (EML) SCAN.
6. HAND DIG ONLY WITHIN 500mm OF EXISTING SERVICES.
7. IF COMPACTING CBGM B COULD CAUSE DAMAGE TO THE CULVERT / SERVICE BELOW, USE RAPID HARDENING CEMENT GRADE C25 / 30 FOLLOWING ENGINEERS PRIOR APPROVAL.
8. WHERE DEPTHS EXCEED 3000mm TO THE TOP OF THE DUCT, THE CONTRACTOR SHALL CONSULT THE CABLE SYSTEM DESIGN ENGINEER.
9. BACKFILL AS PER GUIDELINES FOR THE OPENING, BACKFILLING AND REINSTATEMENT OF OPENINGS IN THE PUBLIC ROADS.
10. ESB'S PREFERENCE IS TO CROSS UNDER ALL SERVICES WHERE IT IS NOT POSSIBLE TO MAINTAIN STANDARD COVER WHEN CROSSING OVER THE SERVICE.
11. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL TEMPORARY WORKS REQUIRED. THE CONTRACTOR WILL APPOINT AN APPROVED TEMPORARY WORKS DESIGNER AND SUBMIT PROPOSED TEMPORARY WORKS DESIGNS TO THE PSDP.

Project Management Initials: Designer: EM Checked: CK Approved: DB

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PROJECT

Ballymoney Solar Farm 10kV Grid Connection

CLIENT

BNRG RENEWABLES

CONSULTANTS

NOTES: -

LEGEND: -

- 125mm Ø HDPE DUCT WITH 12mm DIAMTER PULL ROPE
- RED MARKER STRIP WITH STEEL PLATES
- YELLOW MARKER WARNING TAPE
- EXSITING SERVICES MARKER TAPE

ISSUE/REVISION

P2	18.12.25	Issued for Section 5 Planning
P1	19.09.25	Issued for Section 5 Planning
I/R	DATE	DESCRIPTION

PROJECT NUMBER

05-1082

SHEET TITLE

Double Circuit Service/Culvert Undercrossing Details

SHEET NUMBER

051082-DR-011