



An
Bord
Pleanála

Inspector's Report

PL-501476-LD-26

Development	Solar farm and energy storage compound with a total area of c. 111.1ha.
Location	Tirlickeen Td, Cartronbrack Td, Clogh Td, Corryena Td, Lismacmorrough Td, Co. Longford.
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	25/60265
Applicant(s)	BNRG Ballymahon Limited
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Tommy Doyle, Gary Liggett Wild Ireland Defence CLG
Observer(s)	None
Date of Site Inspection	19th of September 2026
Inspector	Adrian Ormsby

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1.0 Site Location and Description

- 1.1. The application site has a stated area of 111.1 ha¹ with the proposed solar farm development measuring circa 94.18ha². The site is located in the townlands of Tirlickeen, Cartronbrack, Clogh, Corryena and Lismacmorrough in Co. Longford.
- 1.2. The site is c. 13km south of Longford town and c. 2.3km west of the N55 national (secondary) road between Edgeworthstown and Athlone. The site is located c. 1.7km to the north of Ballymahon and c. 1.9km to the south of Keenagh Village.
- 1.3. The site comprises two parcels of land primarily along and including sections of the R397 regional road and the L-5227 local road. Section 2.2 of the submitted Planning Statement describes these as the Northern and Southern Parcel³. The two parcels of land are c 1.8 km apart. The northern parcel fronts the local road L-5527 and the southern section fronts the R397. Part of the southern parcel is also accessible from a further local road L-52334.
- 1.4. The Commission should note that other sections of the documentation submitted with the application refer to differing number of parcels⁴. For the general consideration of this application I shall refer to only two parcels i.e. the northern and southern unless otherwise stated.
- 1.5. There are watercourses flowing in a NW to SE direction along the northern boundary of both the northern and southern parcels of land. These water courses appear to flow south eastwards towards the River Inny and then in the direction of and under the Royal Canal to the south east of the application site. Final discharge is then south west of the site to Lough Ree c. 5.6km SW of the site but c. 12.6km hydrologically⁵.

¹ Question 11 of application form.

² Application Cover Letter dated 14th of November 2025

³ See also Figure 2.1 and 2.2 of the Planning Statement.

⁴ For example, section 6 of the Planning Statement- "southern blocks (Parcels 2-3)", section 1.1 of the Hydrology and Hydrogeology Assessment states- *The proposed development site consists of three parcels of land: Parcel One (c. 34.8 ha), Parcel Two (c. 67.3 ha) and Parcel Three (c. 18.8 ha)*", section 4.1 of the 'Flood Risk Assessment' refers to "parcels 2, 3, 4, and 5" and section 2.1.1 of the EIA Screening Report states- *"The development comprises three distinct land parcels"* A description of each is then provided.

The Commission are further advised that the Flood Risk Assessment appears to show parcels of land that are not included within the site boundary- see Figures 3.1 and 4.4.

⁵ As suggested in section 4.9.5.1 of the EIA Screening Report

- 1.6. Generally the site itself can be described as low lying agricultural fields with typical hedgerow and tree boundaries in most places to the surrounding road network. OS mapping available to ACP indicate contours levels at parcel 1 at c. 70 m centrally and parcel 2 ranging from 80m falling from west to east at c. 60m just east of the site boundary.
- 1.7. The site in its wider setting can also be characterised as typically rural with a number of typical one-off house developments dispersed in the area along the public roads.
- 1.8. There are a number of features of Cultural Heritage interest within and in close proximity to the site including-
- LF023-049- Enclosure- *“moderately drained, level pasture. Depicted as a circular enclosure on the 1914 ed. of the OS 6-inch map. The monument is not visible at ground level.”* Located in northern parcel of site.
 - LF022-072002- : Bawn- Associated with a 17th-century house (LF022-072001-). May be associated with the gardens or orchards of the house. Located in southern of parcel of site.
 - LF022-072003- Designed landscape - formal garden. Located in southern of parcel of site.
 - Lismacmurrough House is not located within the site but is just east of the R397 road and site which connects the northern and southern parcel. This house is identified on the NIAH⁶- Ref No. 13402213. It has a rating of Regional and is detailed as having special interest of Architectural and Artistic.
- 1.9. The proposed BESS is located within the southern parcel of the application site. The Commission is advised the submitted drawings identifies an area for a proposed substation also in the southern parcel and that substation does not form part of this subject application.
- 1.10. Existing 110kV overhead wires traverse the Southern parcel of the application site. This is considered to be the Lanesborough–Mullingar 110 kV to which the Applicant intends to ultimately connect the proposal to the national grid.

⁶ <https://www.buildingsofireland.ie/buildings-search/building/13402213/lismacmurrough-house-lismacmurrough-barry-longford>

2.0 Proposed Development

2.1. The proposal is for a solar farm with an estimated export capacity to the national grid of 80MW⁷. The proposal comprises of:

- The installation of approx. 700,000 sqm of solar PV panel arrays, on approximately 355,000 sqm of ground mounted panels on steel frame structures
- The installation of approximately 18 MV stations.
- An energy storage compound consisting of 56 no. containerised energy storage modules and associated plant and equipment (BESS).
- Installation of underground cabling and ducting, comprising approximately 1.8 km along the R397 and L5527 public roads (connecting northern and southern parcels of land within the site).
- Provision of temporary site compounds⁸, welfare facilities, and secure materials storage areas.
- Construction of c. 3.8km of internal access tracks throughout the site.
- Erection of approximately 550m of security fencing around the BESS compound and pole-mounted CCTV cameras.
- Construction and operational access via two existing entrances on the R397 and L5527 roads.
- Landscaping and biodiversity enhancement measures.
- Drainage and
- All ancillary development works and apparatus necessary to facilitate the proposed development.

2.2. The proposed grid connection (not subject to this application) will be facilitated by a loop-in connection to the existing Lanesborough–Mullingar 110kV overhead

⁷ Application Cover Letter dated 14th of November 2025.

⁸ Construction compound located just south of area identified for future substation application. See FI drawings ending in 109 and 805. See also page 17 of FI Response Report.

transmission line via two proposed overhead line end masts. The drawings⁹ identify the location for these as 'Indicative' but within an identified area in close proximity to the existing overhead lines.

2.3. The application seeks-

- A 40 year operational life span
- A 10-year planning permission duration

2.4. The application is accompanied by the following documents and information date stamped 14/11/2025:

- A Cover Letter
- A Planning Statement;
- An Environment Statement
- An Environmental Impact Assessment Screening Report
- Landscape & Visual Impact Assessment (LVIA) with Photomontages and Landscape Management;
- A Glint & Glare Assessment (GGA)
- A Battery Energy Storage System Compound Report
- An Appropriate Assessment Screening Report (AASR) and Natura Impact Statement (NIS)
- A Preliminary Ecological Assessment-
 - Bird Report,
 - Bat Report,
 - Newt Report,
 - Otter Report,
 - Badger Report;
- A Construction & Environmental Management Plan (CEMP)

⁹ See FI drawings ending in 106 & 509

- An Archaeological Impact Assessment and Geophysical Survey;
- Traffic and Transport Plan & Site Access Report (TMP&SAR)
- Flood Risk Assessment
- Noise Impact Assessment Report
- Electromagnetic Field (EMF)/Electromagnetic Compatibility (EMC) Impact Assessment Report.
- Decommissioning Report
- Associated Drawings and Plans

2.5. It is noted the Applicant submitted a separate cover letter and 'Fire Safety Assessment and Advice' report to the Planning Authority on the 16/12/25 as Unsolicited Further Information.

2.6. The Planning Authority requested Further Information on the 07/01/2026 which in summary, related to the following matters-

1. Archaeology
2. Nature Conservation
3. Badger Conservation
4. Residential Amenity
5. Construction and Substation Compounds
6. Landscape Plan
7. Submissions received

2.7. A response to the FI was received on the 01/04/2026. The Applicant considered the FI response significant and readvertised accordingly. Revised public notices were submitted with the FI response on the 01/04/2026.

2.8. The FI submission includes the following-

- FI Response Report
- Appendix I- Updated Archaeological Assessment
- Appendix II – Method Statement

- Appendix III – Wintering Birds Survey
- Appendix IV – Badger Conservation Plan
- Appendix V – Residential Amenity and CCTV Layout Maps
- Appendix VI – Updated Substation & Construction Compound Location Plan
- Appendix VII – Updated Landscape and Visual Impact Assessment
- Appendix VIII – Updated Photomontages
- Appendix IX – Updated Noise Impact Assessment
- Appendix X – Updated Glint and Glare Assessment
- Appendix XI – Updated High-Level Electromagnetic Field Assessment
- Appendix XII – Updated Hydrology and Hydrogeology Assessment
- Appendix XIII – Updated Ecological & Protected Species Assessment
- Appendix XIV – Updated Planning Drawings (Volume 1 – Site Location Plans)
- Appendix XV – Updated Planning Drawings (Volume 2 – Site Layout Plans)
- Appendix XVI – Updated Planning Drawings (Volume 3 – Site Sections & Details)

2.9. The FI response includes the following amendments to the original proposal-

- Relocation of the substation within the site.
- Relocation of the temporary construction compound.
- Incorporation of two badger sett buffers in parcels 2 & 3.
- Revision of the CCTV layout (both the number of units and the location).
- Incorporation of double hedgerows in the LVIA plan, within the boundaries of the development located near existing dwellings and roads for visual amenity.
- Reconfiguration of the solar PV panel layout, internal tracks, and associated infrastructure, as a consequence of the above amendments and environmental constraints.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to grant permission on the 13/05/2026 subject to 22 conditions generally of a standard nature for such a proposal.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two Planning reports on file dated the 06/01/2025¹⁰ and 06/05/26. The two reports can generally be summarised as follows-

- Having considered the policies and objectives of the LCDP the Council will encourage solar energy development subject to normal planning considerations.
- Having examined the glint and glare assessment it is considered there will be no negative impact on the receptors examined.
- No significant concerns regarding noise subject to condition
- The findings of the Natura Impact Assessment and proposed mitigation measures are accepted. All mitigation measures recommended within section 5.3 of the NIS shall be implemented in full.
- In relation to Ecology the mitigation measures for ecology are noted and conditions recommended.
- Recommended road related conditions are detailed.
- Findings of LCC Environment section in relation to Flooding are agreed with.
- In relation EIA, it is considered that the proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 (as amended) nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR and will not

¹⁰ This is a likely typing error and should read 06/01/26

on its own or cumulatively with other projects result in significant effects on the environment and as such an EIAR is not required.

- Following receipt of FI-
 - Conditions are recommended in relation to Archaeology
 - The Applicant has satisfactorily addressed nature conservation including badger concerns highlighted by the Department
 - All proposed solar panels are located in excess of 20m from each dwelling within the vicinity of the proposed development. The location of the nearest substation is sited at c. 401m from the nearest dwelling. Residential Amenity related concerns have been addressed.
 - Concerns regarding the Landscape Mitigation and Biodiversity Plan have been addressed.
 - The Applicant has responded to concerns raised in third party submissions.
- It is considered subject to compliance with the conditions detailed, the proposed development would be in accordance with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

- Executive Scientist report
 - 16/12/25- Noise, waste, surface water protection and other detailed conditions recommended, proposed mitigations for ecology, water are satisfactory, IFI should be consulted. All access tracks should be constructed at existing ground level etc.
- Road Design,
 - 17/12/25- Conditions recommended
 - 02/04/26- No further comments

3.3. Prescribed Bodies

3.3.1. Submissions have been received from the following-

- DoHLGH- DAU 17/12/25- FI required on Archaeology and Nature Conservation Matters
- DoHLGH- DAU 05/05/26 **FI response**
 - Archaeology- The Archaeological Assessment fails to provide sufficient information as per the Request for Further Information. Recommends and details archaeological conditions to be applied.
 - Nature Conservation- No significant concerns raised
- National Environmental Health Service HSE
 - 08/12/25- *“The development shall not be a source of pollution to watercourses and shall not negatively impact the quality of groundwater or surface water at all stages.”*

3.4. Third Party Observations

3.4.1. 16 parties on the file who have made third party observations on the application. In one case it appears the same observer has made two submissions to the original application. 2 submissions received in response to the Significant Further Information submitted.

3.4.2. I am satisfied the issues raised in all the submissions are generally reflected in the Longford Planning Reports as well as the issues raised in the third-party appeals received by the Coimisiún and accordingly the substantive issues will be addressed in the assessment section of this report.

4.0 Planning History

4.1. Within application site boundary and nearby:

- None relevant

4.2. Relevant developments under consideration in wider area:

- 24/60325 and PL-500085-LD- at Cornacarta Doonacurry Foygh Kilcommock Glebe Ledwithstown and Tirlickeen (townlands), Keenagh and Ballymahon in County Longford c. 1.5km west of current appeal. Application for 10 Year Planning Permission for a solar farm and energy storage compound . Third party appeal against LCC decision to grant. Appeals remain under consideration by ACP at time of writing.

5.0 Policy Context

5.1. EU Legislation/Policy

5.1.1. The revised Renewable Energy Directive (REDIII)

- This lays down a minimum binding target of 42.5% share of renewables by 2030 with an aspiration to reach 45%. It sets the course for a rapid acceleration of renewable energy deployment, while taking into account other policy considerations such as multiple use of land. It requires a massive scale-up of renewables projects.
- This was transposed into Irish Legislation by way of SI No. 274 of 2025 dated the 06th August 2025.

5.2. National Policy and Legislation

5.2.1. Climate Action and Low Carbon Development Act 2015, as amended 2021

- Section 15 of the 2021 amendment act requires An Coimisiún Pleanála, in so far as practicable, to perform its functions in a manner consistent with-
 - “(a) the most recent approved climate action plan,*
 - (b) the most recent approved national long term climate action strategy,*
 - (c) the most recent approved national adaptation framework and approved sectoral adaptation plans,*
 - (d) the furtherance of the national climate objective, and*

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

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

- CAP24 and CAP25 are the most recent annual updates to Ireland’s Climate Action Plan. The purpose of the CAP’s is to lay out a roadmap of actions which will ultimately lead to meeting the country’s national climate objective of pursuing and achieving, by no later than the end of the year 2050 (as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021), the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.
- Central to achieving these goals is the strategic increase in the share of renewable electricity to 80% by 2030. In order to reach 80% of electricity demand from renewable sources by 2030 section 12.4.1.1 of CAP24 details inter alia the following-
 - Accelerate the delivery of utility-scale onshore wind, offshore wind, and solar projects through a competitive framework
 - Target up to 5 GW of solar by 2025;
 - Target 8 GW of solar by 2030
 - Deliver a streamlined electricity generation grid connection policy and process, and remove barriers, where possible, for the installation of renewables and flexible technologies reducing the need to build new grid, including hybrid (wind/solar/storage) connections

CAP25 section 11 identifies some of these as Key Targets.

- CAP24 details the significant changes to enhance the electricity grid’s capacity and flexibility. This will accommodate the significant upsurge in renewable energy while ensuring the system’s reliability and efficiency. Additionally, managing electricity demand through innovative policies and

technologies is crucial for aligning energy consumption with cleaner production.

- Section 11 of CAP25 deals specifically with electricity and identifies a number of relevant actions. It states-

“A renewables-led system is at the core of Ireland’s plan to radically reduce emissions in the electricity sector, protect our energy security, and ensure our economic competitiveness. This requires the accelerated and increased deployment of new renewable electricity generation capacity and related infrastructure.”

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

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

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

- The most recent approved national adaptation framework, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 (NAF) is Ireland's second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF and its successors do not identify specific locations or propose adaptation measures or projects in individual sectors, but sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making. The NAF identifies 13 (previously 12) priority sectors under 7 lead Departments that are required to prepare sectoral adaptation plans under the

Climate Act in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation which were published in 2018 and updated in 2024. 13 Sectoral Plans were prepared in 2025 including an 'Electricity and Gas Sectoral Plan'.

5.2.5. Project Ireland 2040: National Planning Framework First Revision, April 2025 (NPF) and the National Development Plan (NDP 2018-2027) and NDP review 2025

- The National Planning Framework First Revision (NPF) identifies the importance of climate change through its National Strategic Outcome (NSO 8), which relates to ensuring a 'Transition to a Low Carbon and Climate Resilient Society'.
- National Policy Objective 70 seeks to-
"Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050."
- The National Development Plan (NDP) 2021-2030 sets out the investment priorities that will underpin the implementation of the NPF, one of which is climate action. Section 3.7 of the plan details-
"increasing the share of renewable electricity up to 80% by 2030. This is an unprecedented commitment to the decarbonisation of electricity supplies."
- Section 3.3 of the NDP 2025 Review deals with Climate where Ireland's ambitious national climate goals under the CAP's are detailed. Section 5.8 is titled 'NDP Priority Investment and Sectoral Plans' and states-
"The National Development Plan will provide for the provision of up to €3.5 billion in new equity to support investment in electricity grid infrastructure over 2026 – 2030. €2 billion will be provided to EirGrid and €1.5 billion to ESB. This equity will enable both companies to significantly increase capital investment to expand electricity transmission and distribution network infrastructure."

5.2.6. National Biodiversity Action Plan 2023 – 2030 (NBAP)

- Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows, Objective 1 Adopt a whole of government, whole of society approach to biodiversity; Objective 2 Meet urgent conservation and restoration needs; Objective 3 Secure nature's contribution to people; Objective 4 Enhance the evidence base for action on biodiversity; Objective 5 Strengthen Ireland's contribution to international biodiversity initiatives.

5.2.7. **National Renewable Energy Action Plan (NREAP)**

- Under the first EU Directive 2009/28/EC¹¹ (RED) in 2009, member countries of the European Union were obliged to draft and submit to the European Commission National Renewable Action Plans (NREAPs) outlining pathway which will allow them to meet their 2020 renewable energy, energy efficiency and GHG cuts targets.
- Ireland 2020 electricity target- 42.5% of electricity demand met by electricity generated from renewable energy sources.

5.3. **Regional Planning Policy**

5.3.1. **The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly 2019-2031**

- This Strategy sets out 16 Regional Strategic Outcomes (RSOs), which are aligned with international, EU and national policy and which in turn set the framework for city and county development plans.
- RSO 9- 'Support the Transition to Low Carbon and Clean Energy'

"Pursue climate mitigation in line with global and national targets and harness the potential for a more distributed renewables-focussed energy system to support the transition to a low carbon economy by 2050. (NSO 8,...)"

¹¹ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:140:0016:0062:EN:PDF>

5.4. Ministerial and other Guidelines/Guidance

- The Planning System and Flood Risk Management Guidelines, 2009
- Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR) (EPA 2022).
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003),
- Appropriate Assessment-
 - OPR (2021) Practice Note PN01 Appropriate Assessment Screening for Development Management
 - 'The Status of EU Protected Habitats and Species' in Ireland 2019 published as a report to the European Commission as required every 6 years under Article 17 of the Habitats Directive¹²
 - DoEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service.
 - EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC.
 - EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC].
- Guidelines for Landscape and Visual Impact Assessment (3rd Edition) Landscape Institute and Institute of Environmental Management & Assessment 2013 (IEMA)

¹² <https://www.npws.ie/publications/article-17-reports/article-17-reports-2019>

- Guidelines for Ecological Impact Assessment 2018 Chartered Institute of Ecology and Environmental Management (ICEEM)
- Transport Infrastructure Ireland's 'Traffic and Transport Assessment Guidelines May 2014'

5.5. Longford County Development Plan 2021-2027 (LCDP)

5.5.1. Volume 1- Chapter 5- Transport, Infrastructure, Energy and Communications

Section 5.8 of the LCDP deals with 'Renewable Energy' and includes a number of County Policy Objectives (CPO). The following are considered particularly relevant-

- *CPO 5.137- Promote energy conservation, increased efficiency and growth of locally based renewable energy alternatives, in an environmentally and socially acceptable and sustainable manner and having particular regard to the requirements of the Habitats Directive.*
- *CPO 5.143 Adopt a positive approach to renewable energy proposals, having regard to the proper planning and sustainable development of the area, including community, environmental and landscape impacts and impacts on protected or designated heritage areas/structures.*
- *CPO 5.146 Support and facilitate the development of secure, appropriately-scaled energy storage facilities at suitable locations throughout the county.*
- *CPO 5.149- The Council shall give consideration to extending the length of the Planning Permission and the life of renewable energy projects on a case by case basis given the nature of the proposed development and the type of renewable energy project.*
- *CPO 5.157- Promote the development of solar energy infrastructure in the county, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity, views and prospects, and other relevant planning considerations.*

- *CPO 5.158- Encourage the development of solar energy in suitable locations in an environmentally sustainable manner and in accordance with Government policy and any forthcoming Renewable Energy Strategy for County Longford.*
- *CPO 5.160- Require that proposals for solar energy address the following:*
 - *The Landscape Character of the County.*
 - *Visual impact particularly on raised/elevated sites.*
 - *‘Zone of Visual Influence’ and visual impact of the structures.*
 - *Glint and glare and the potential impact on the adjoining road networks and dwellings through the submission of an associated report.*
 - *Road access and impact on the road network serving the site during the construction and operational phases.*
 - *Archaeological Impact.*
 - *Incorporation of security measures – use of CCTV/surveillance cameras and security fencing.*
 - *Suitability/strength of the grid and accessibility to it.*
 - *Suitability of the site, having regard to other land use policies, including the need to protect areas of important built and natural heritage.*
 - *Decommissioning of obsolete infrastructure and after-use.*

5.5.2. Volume 1- Chapter 6- Regeneration

- *CPO 6.42 Support the diversification of rural economies to create additional jobs and maximise opportunities in emerging sectors, such as agri-business, renewable energy, rural tourism and forestry enterprise.*

5.5.3. Volume 1- Chapter 9- Rural Economy

- *CPO 9.3 Support the provision of a high-quality rural environment, encourage diversification and improved competitiveness of the rural economy, sustain the livelihood of rural communities and promote the development of the wider*

rural economy, all within the context of the sustainable management of land and resources.

- *CPO 9.8 Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT-based industries and those addressing climate change and sustainability.*
- *CPO 9.16 Support the rural economy and initiatives in relation to diversification, agri business, rural tourism and renewable energy so as to sustain employment opportunities in rural areas*

5.5.4. Volume 1- Chapter 14- Landscape Character

See LCDP- Figure 14.1- 'County Longford's Landscape Character Areas'. The application site is contained within 'Unit 7 – Open Agricultural Lands'. The Landscape Sensitivity for this Unit is described as-

“Visual sensitivity of the landscapes in this unit are generally LOW to MEDIUM. An exception to this designation is the vicinity of the Royal Canal, the River Inny, in Upland Areas with designated scenic views, and in proximity to the heritage village of Ardagh where sensitivity is HIGH..”

The following County Policy Objectives are relevant-

- *CPO 14.3- Protect the landscapes and natural environments of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness, or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.*
- *CPO 14.4- Ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of a landscape in new development proposals. Any new development should respect and reinforce the distinctiveness and sense of place of the landscape character types, including the retention of important features or characteristics, taking into account the various elements which contribute to their distinctiveness.*

- *CPO 14.7- Require landscape and visual impact assessments prepared by suitably qualified professionals to be submitted with planning applications for development which may have significant impact on landscape character areas of medium or high sensitivity.*
- *CPO 14.8- Preserve views and prospects as illustrated on the accompanying map as part of Appendix 9: Landscape Character and as listed in Tables 14.2 and 14.3.*

Section 14.7 details ‘Protected Views and Prospects’ and identifies two distinct types of views- Full and Intermittent- See Tables 14.2 & 14.3¹³. ‘Full’ protected views F.S.17 and the following CPO are considered relevant-

- *CPO 14.37- Preserve the views and prospects listed in Table 14.2 and 14.3 and detailed in Appendix 9: Landscape Character with accompanying maps and to protect these views from development which would interfere unduly with the character and visual amenity of the landscape.*

5.5.5. Volume 1- Chapter 16- Development Management Standards

Section 16.4.16.2 deals specifically with ‘Wind Energy’ and states-

“The Council recognises that solar farms as a renewable energy source, can contribute to reductions in fossil fuel dependency and greenhouse gas emissions. Currently, there is no national policy guidelines on solar farms. In the assessment of any applications for solar farms, the Council will consider Chapter 5: Transport, Infrastructure, Energy and Communications of this plan which provides the policy context and criteria required in the assessment of solar farms within the County. Further regard will be given to policy and guidance detailed in Chapter 14: Landscape Character and Annex 11: Landscape Character Assessment of this Plan..

The following ‘Development Management Standards’ (DMS) are relevant-

- *DMS 16.1- Encourage renewable development proposals which contribute positively to reducing energy consumption and carbon footprint.*

¹³ Volume 2- Appendix 9

- *DMS 16.181- In the assessment of renewable energy development proposals such as wind and solar energy schemes (but not limited to), the Council will take the following criteria into account:*
 - a) The proper planning and sustainable development of the area;*
 - b) The environmental and social impacts of the proposed development including those on residential properties, such as noise and shadow flicker;*
 - c) Traffic impacts including details of haul routes;*
 - d) Glint / Glare and the potential impact on the adjoining road networks and dwellings through the submission of an associated report.*
 - e) Impact of the development on the landscape and the Zone of Visual Influence (see Chapter 14: Landscape Character and Annex 11; Landscape Character Assessment);*
 - f) Impact on protected Views and Prospects (see Chapter 14: Landscape Character and Appendix 9 and Annex 11; Landscape Character Assessment);*
 - g) Impact on public rights of way and walking / cycling routes, blueways, greenways and peatways;*
 - h) Impact of the grid connection from the installation to the ESB network and National Grid (where applicable);*
 - i) Mitigation features, where impacts are inevitable;*
 - j) The protection of designated areas - NHAs, SPAs and SACs, areas of archaeological potential and scenic importance, proximity to structures that are listed for protection, national monuments, etc. (see Chapter 11: Built and Cultural Heritage; Chapter 12: Natural Heritage and Environment and Chapter 13: Green Infrastructure);*
 - k) The cumulative Impact of proposal development on protected bird and mammal species;*
 - l) Decommissioning of obsolete infrastructure and after-use.*

m) The length and duration of renewable energy projects planning permissions and the life of the project shall be considered on a case-by-case basis and subject to agreement of the Planning Authority.

5.6. Natural Heritage Designations

5.6.1. The application site is located in proximity to the following designated sites-

- SAC-
 - Lough Ree SAC (000440) located c. 5 km to the south west of the site
 - Mount Jessop Bog (002202) located c. 7.5 km to the north of the site
- SPA
 - Lough Ree SPA (004064) located c. 5 km to the south west of the site
- NHA-
 - Mount Jessop Bog (001450) located c. 7.5km to the north of the site.
 - Forthill Bog NHA (001448) located c. 7 km to the west of the site.
 - Rinn River (000691) located c. 6.5km to the north west of the site.
- pNHA-
 - Royal Canal (002103) located less than 1km from the west and southern site boundary
 - Lough Bawn (001819) located c. 3.5km NW of the site
 - Derry Lough (001444) located c. 4km W of the site
 - Lough Ree (000440) located c. 5km SW of the site

6.0 EIA Screening

6.1.1. The Applicant has submitted an 'Environmental Impact Assessment Screening Report' (EIASR). Section 8 generally concludes the proposal is not required to be subjected to an Environmental Impact Assessment. It states-

"....having regard to the nature, scale, and location of the subject site, that there is no likelihood of significant effects as a result of the proposed

development on the environment (direct, indirect, or cumulatively with other development) and therefore it is considered that an Environmental Impact Assessment Report (EIAR) is not required in this instance.”

- 6.1.2. The following sets out my own consideration of the proposed development for the purposes of the EIA Directive. The Commission are referred to Appendix 1 of this report where I have completed- Form 1 Pre-Screening.
- 6.1.3. Solar farms and BESS facilities do not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (PDR's), as amended and therefore no preliminary examination, screening for EIA or EIAR is required. However, it is noted the project does involve some works that could be considered to fall within Class 1 (a) '*restructuring of rural land holdings*' i.e. c.132m of hedgerow removal.
- 6.1.4. The Applicant's EIASR clearly detailed that it includes information set out in Schedule 7A of the Regs. Article 103 of the PDR's details that an EIA Screening Determination is required. Please See Appendix 2 Form 3 where I have determined the following-
- 6.1.5. Having regard to-
- The nature and scale of the proposed development, which is not a class of development set out in Schedule 5, Parts 1 and 2 of the Planning and Development Regulations 2001 as amended;
 - The location of the proposed development;
 - The nature of the existing site and the pattern of development in the surrounding area;
 - The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
 - The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);

- The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as revised, and;
- The features and measures proposed by the Applicant intended to avoid or prevent adverse effects on the environment, including measures identified in the submitted Natura Impact Statement and Flood Risk Assessment (and related Further Information submissions) and other Ecological related reports on file.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. Three third party appeals have been received from-

- Tommy Doyle
- Gary Liggett
- Wild Ireland Defence CLG (Peter Sweetman)

7.1.2. I have reviewed the appeals in full, which raise similar issues and include matters also raised in the submissions to Longford County Council. The full contents of each appeal are available for the Commission to consider.

7.1.3. I am satisfied the substantive grounds of these appeals can generally be summarised as follows-

- General approach to decision making, completeness of Further Information requests and the application leading to a reliance on future assessments, revised details, mitigation strategies and agreements with the Planning Authority post consent.
- Traffic & transport Impacts on the local road network, need for a Transport Assessment, Road Safety Audit and reliance on condition 14 suggests the planning authority could not have sufficient information to conclusively

determine the likely traffic and road safety impacts arising from the development. In particular, the actual haulage routes have not been confirmed. This undermines assessment under DMS16.181(c) of the LCDP with compliance with CPO 5.29¹⁴ requires '*specific information on the potential impact of proposed developments on the road network*' and Policy Objective CPO 5.160 questioned.

- Landscape, Visual Impact and Residential Amenity- typical concerns detailed including a separation distance of 20m to residential property is not based on qualitative assessment of the actual visual effects experienced by the nearest residential receptors. The proposal is inconsistent with the requirements of DMS16.181(b) and DMS16.181(e).
- Glint & Glare Impact- typical concerns raised including questioning the need condition 10 and mitigation measures, deficiencies in the planning report are detailed with conclusions considered broad and generalised in nature and are unsupported by detailed evidence specific to the nearest residential receptors. Questions the methodology of the report referring to best practise requirements of 1km study area and 'Policy LCP 8-xx, Solar Energy'¹⁵.
- Archaeological Impact and Landscape Context, questions LCC decision to grant despite the DHLGH submission states the FI "*fails to provide sufficient information requested within the Request for Further Information*".
- Raise concerns regarding 'Construction Stage Impacts' including reliance on post consent submissions. Absence of sufficient detail to enable assessment of the likely duration, scale and intensity of impacts arising at the nearest residential receptors, including impacts relating to noise, dust, traffic disruption, access restrictions and prolonged construction disturbance.
- Questions the Loss of Agricultural Land in the absence of consideration of quality of land to be lost or rationale for site choice. Details that the LCDP

¹⁴ This is a 'Roads and Streets' CPO and also details- '*....All applications shall submit the required roads form as outlined within the Longford County Council Planning Pack, or any subsequent update....*'. I do not consider this substantive in the context of this appeal and note the Council have validated the application. Development Management Standards are considered as appropriate.

¹⁵ I have not identified this policy in the LCDP. Also refers to "Planning Guidelines for Solar Farms" and parts of the Planning and Development Regulations which I have not identified in the context of the subject appeal.

includes policies to protect high-quality agricultural land and encourage brownfield/peatland development. Considers that policy requires solar farm developments to avoid high-quality agricultural land and include a site selection assessment justifying the choice.

- The EIA Screening does not consider the BESS and its risk (chemical spills or fire). Refers to PDR's, item (10)(b) - installations for the storage of chemical products may require EIA, questions the adequacy of the EIA screening for when measured against the standard significant-effects criteria as detailed.
- The noise assessment is considered inadequate because it fails to predict BESS cooling fan noise separately, does not assess tonal characteristics, and inappropriately applies a 45 dB night-time limit when background levels (as low as 25.9 dB LA90) warrant a lower limit (e.g., 30-35 dB). This could lead to sleep disturbance, contrary to the development plan's residential amenity policies.
- The Applicant's fire safety plan for the battery storage (BESS) is considered incomplete and it is not possible to properly assess the risk, which is contrary to the duty to consider all material matters and the precautionary principle.
- There is no long-term ecological monitoring programme for the 40-year operational life of the solar farm, and no consolidated, enforceable Biodiversity Management Plan tying together habitat creation, long-term monitoring and invasive-species control.
- The community benefit fund is not secured and must be an unconditional condition of permission.
- Does not consider all solar farms within a 5–10 km radius. No assessment of cumulative effects on landscape character, visual amenity, or ecology. Refers to requirements of EIA and Habitat Directives and the LCDP.
- The Bat Report is a preliminary roost-potential assessment and a full-season (May–September) bat activity and emergence surveys was not carried out. The impact on bats, especially hedgerow commuting routes, cannot therefore be assessed.

- In relation to the national grid connection a confirmed agreement from EirGrid has not been submitted.
- An environmental assessment of the 1.8 km underground cable route along public roads has not been submitted.
- The absence of a dedicated lighting management plan means lighting impacts on bats and other nocturnal wildlife is incomplete, contrary to the precautionary principle and best practice guidance as detailed.
- There are no operational monitoring conditions for noise, bird life or drainage.
- There is an absence of a soil management plan specifying topsoil stripping depth, storage location, duration, and reinstatement measures. The application fails to address soil compaction. Contrary to EIA Directive.
- The application fails to address compliance with Section 50 of the Arterial Drainage Act 1945, including whether an OPW licence is required. A full assessment of hydrological impacts is prevented.
- It is alleged the proposal fails to demonstrate compliance with the Habitats Directive, the Wildlife Acts, The Water Framework Directive, the EIA Directive and the precautionary principle. The adequacy of the environmental assessments is questioned and detailed.
- The application does not contain detailed assessment of certain risks as set out. Significant pollution risk affecting downstream watercourses etc. Local Fire Service Capacity and public safety not adequately considered having regard to BESS proposal. Risk of fire spread to agricultural lands and ecological consequences of same. Given 40 year life span climate changes implications should be considered.
- Deficiencies in Lifecycle Greenhouse Gas Assessment detailed. The application does not provide a cradle to grave environmental assessment.
- 40 year life span not justified in context of 10 year permission request.
- No site-specific assessment against CPO 5.160 or if the site is 'suitable' under CPO 5.158.

- In relation to decommissioning there no financial bond or security and a restoration timeline is not quantified.
- Absence of a detailed surface water drainage strategy including SUDs and flooding justification test.

7.2. Applicant Response

7.2.1. The Applicant's response to the third party appeals is dated 02nd July 2026. The Response is a detailed consideration of the issues raised in the appeals on a thematic basis. The main considerations of the overall response are summarised as follows-

- A number of the issues raised were addressed by the Applicant in response to submissions received when the application was made to Longford County Council i.e. through the Further Information process. The development was amended at this stage.
- The proposal will not permanently remove land from agricultural use. The proposal is generally reversible, uses piled foundations allowing restoration at decommissioning phase. Agricultural use can continue during operation.
- Full details of soil management and protection will be set out in the CEMP which will be updated prior to construction on site. A full Invasive Species Management Plan is also included.
- The proposal is diversification of agricultural lands and is in line with LCDP policies CPO 6.42, CPO 9.8 and CPO 9.16 as well as the NPF and RSES.
- The environmental assessments have taken all aspects of the proposal into consideration including cable corridors. Grid capacity is not assessed in the planning application. The Applicant is engaged with EirGrid.
- Full Ecological Surveys were carried out and an NIS has been completed. The NIS concludes that an adverse effect upon the integrity of any Natura 2000 site, either alone or in combination, can be avoided.
 - The DoHLGH requested that further information be provided on the avifaunal non-breeding assemblages utilising the site.

- A Wintering Bird Survey was carried across the winter season, October 2025 to March 2026 inclusive. The final report has been submitted which captures results, full assessment and mitigation measures proposed. It concluded there is no likelihood that the proposal will cause significant disturbance to any overwintering bird species during the construction or operational phases including to European Sites.
- A Badger Survey Report and an Outline Badger Conservation Plan were submitted and all mitigations outlined will be strictly adhered to. The proposed development is not expected to result in adverse effects on the conservation status of badger during either the construction or operational phases.
- With regard to Bats, some trees with potential for bats have been identified within the area of the loop-in connection and substation 'future expansion' area and will be addressed as part of a separate future application.
- Regarding Newts, the proposed solar panel arrays, substation footprint, access routes, and associated infrastructure are positioned within 250 m of waterbodies features located towards the centre of the site boundary. Further surveys, rather than avoidance, are recommended to ensure appropriate management of potential ecological constraints associated with Newts.
- Regarding Glint and Glare all receptors considered to be impacted have been considered and it is concluded impacts will be minimal. The Landscape and Biodiversity Plan has been revised at FI stage to a double row of semi-mature hedgerow/tree planting along roadside boundaries. The revised Glint and Glare assessment concludes that there is no potential for hazardous glint and glare effects to aviation and roadway receptors and once screening mitigation is applied to the one residential receptor there is no potential for nuisance to residential amenity due to glare.
- The Landscape and Biodiversity Plan was revised at FI to provide a denser screening and quicker screening of the development. The LVIA has been updated accordingly.
- The NIS and Ecological Surveys, along with the CEMP will ensure that there is no likelihood that there will be any significant disturbance to or

environmental damage either at construction or operational phases to watercourses, ground water or surface water. The application is fully in compliance with the Water Framework Directive.

- Regarding residential amenity all proposed solar panels maintain a minimum separation distance of 34 m from existing dwellings, exceeding the 20 m requirement.
- A total of 16 CCTV units are proposed across the site with each positioned to into the site towards the proposal and not to residential properties.
- The locations of the Substation and Construction Compound were revised at FI stage.
- A full noise assessment has been carried out on the residential receptors in the area indicating no significant construction noise impacts and operational noise will comply with NG4 limits (55 dB daytime, 50 dB evening, 45 dB night-time). Cumulative consideration with the proposed Foigha Solar Farm results in no change to future ambient noise levels.
- A programme of archaeological test trenching prior to the determination of the planning application would not be proportionate and can be secured by way of planning condition.
- In relation to the BESS a full Fire Safety Report¹⁶ has been submitted and the CEMP sets out in detail the measures which will be taken to protect public and environmental quality.
- The Traffic Management Plan (TMP) submitted with the planning application sets out measures to ensure that the proposal will not endanger public safety. It is requested that an appropriate planning condition be applied.
- Full community consultation was carried out, including an information evening, leaflet drop, door to door information, statutory consultation, website and survey. As a result revisions were made to the site layout, positioning of access points and further mitigations added reflecting local concerns.

¹⁶ This is considered to be the 'Fire Safety Statement'.

- The Applicant welcomes any conditions for annual operational environmental monitoring and highlights that Post Consent Conditions are an established planning practice.
- Concerns regarding further information completeness have been addressed
- A condition in relation to decommissioning is welcomed.
- A 10 year permission is required to build out the development and 40 years is sought for the operational period prior to decommissioning.
- A Community Benefit Fund will be entered into as a mandatory element of the project participation in the Renewable Electricity Support Scheme.

7.3. Planning Authority Response

7.3.1. None on file.

7.4. Observations

7.4.1. None on file.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on the digital and hard file, including the contents of the three appeals, having inspected the site, and having regard to relevant local, regional, national policies and guidance, I consider that the substantive matters to be considered as part of these appeals are as follows:

- Section 15 of Climate Action & Low Carbon Development Act 2015, as amended
- Principle of Development
- Procedural Matter- Validation and Completion of FI Submitted, post compliance submissions

- Duration of Permission and Period of Operation
- EIA Screening
- Grid Connection
- BESS Related Concerns
- Archaeological Related Concerns
- Traffic & Transport related Concerns
- Impact to Residential and Visual Amenities
- Landscape and Visual Impact Assessment
- Biodiversity and Ecology Related Concerns
- Other Matters

8.2. **Section 15 of Climate Action & Low Carbon Development Act 2015, as amended**

8.2.1. Section 15(1) of the Act, as amended states:

‘A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

(a) the most recent approved climate action plan,

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

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

(d) the furtherance of the national climate objective, and

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

8.2.2. As a relevant body, An Coimisiún Pleanála is required to exercise its function in a manner consistent with the applicable climate objectives, in so far as is practicable and I have set out the following consideration to enable the Commission make their decision within that framework.

- 8.2.3. As outlined in respect of policy at Section 5 above, CAP 2025 was published on 15th April, 2025 and re-affirms the previous commitment in CAP 2024 to increase the share of renewable electricity generation to 50% by 2025 and 80% by 2030 including solar targets of up to 5GWs by 2025 and 8 GWs by 2030. There is clear support for the development of solar energy within this context.
- 8.2.4. Ireland's long-term Climate Action Strategy, entitled Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, sets out indicative pathways, beyond 2030, towards achieving carbon neutrality for Ireland by 2050. The Strategy provides a pathway to a whole-of-society transformation and serves as a vital link between shorter-term Climate Action Plans and Carbon Budgets and the longer-term objective of the European Climate Law and Ireland's National Climate Objective.
- 8.2.5. The National Adaptation Framework; Planning for a Climate Resilient Ireland, is Ireland's second statutory National Adaptation Framework (NAF) and was published on 5th of June 2024. The NAF sets out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making.
- 8.2.6. The NAF identifies 13 priority sectors (previously 12) managed by 7 lead Departments that are required to prepare Sectoral Adaptation Plans. Developed in accordance with the Sectoral Planning Guidelines for Climate Change Adaptation (originally published in 2018 and updated in 2024), the 13 sectoral plans were published in 2025 and include a dedicated 'Electricity and Gas Sectoral Plan'. A central tenet of these plans and strategies is the furtherance of the national climate objective, focusing on mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.
- 8.2.7. I will address the policy context in the following section, but I would refer to the conclusion therein that the proposal would comply with the provisions of the Longford County Development Plan (LCDP).

8.3. Principle of Development

- 8.3.1. Appellants raise concerns related to the principle of the proposed development. In particular the suitability of the site is questioned in the context of planning policy and the loss of agricultural land and the nature of soil types.
- 8.3.2. Renewable energy development is supported in principle at national, regional and local policy levels, with collective support across government sectors for a move to a low carbon future and an acknowledgement of the need to encourage the use of renewable resources to reduce greenhouse gas emissions and to meet renewable energy targets set at a European Level.
- 8.3.3. It is also an action of the NPF under National Policy Objective no. 70 to-
- “Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”*
- 8.3.4. At regional level the RSO 9 of the RSES for the Eastern and Midland Region seeks to ‘Support the Transition to Low Carbon and Clean Energy’ by pursuing climate mitigation in line with national targets and by harnessing the potential for renewables-focussed energy system to support the transition to a low carbon economy by 2050.
- 8.3.5. I note Page 96 of the RSES details-
- “Energy production, including renewable energy in the form of wind, solar and biomass have to date largely been provided in rural areas and the location of future renewable energy production is likely to be met in rural areas.”*
- 8.3.6. The Longford County Development Plan 2021-2027 is supportive of renewable energy in general with the following County Policy Objectives (CPO)¹⁷ considered of particular relevance-
- Renewable Energy- CPO’s 5.137, 5.143, 5.146, 5.149, 5.157, 5.158 & 5.160
 - Regeneration- CPO 6.42 Support the diversification of rural economies (including renewable energy) and

¹⁷ See section 5.5 of this report.

- Rural Economy- CPO's 9.3, 9.8 & 9.16 (including Section 9.3.6)

- 8.3.7. It is also evident that utilising such lands for solar farms is an increasingly common agricultural practice as farmers and landowners diversify their businesses. The Applicant details in their response to the appeal the proposed project will operate with a dual uses such as for sheep grazing. It is therefore considered that solar farms are an appropriate land use in this rural area. In this context do not share Appellant's considerations regarding loss of productive agricultural lands. I have considered the content of CPO 9.5 which seeks to '*support farm diversification, where a proposed business initiative is subordinate to the primary agricultural use of the site*'. In the context of the other CPO's detailed above including those particularly relevant to the 'Rural Enterprise and Economy' I do not consider the proposal to be contrary to CPO 9.5.
- 8.3.8. In terms of Landscape Character the site is located in 'Unit 7 – Open Agricultural Lands'. For the purpose of this section, there are no specific policies or objectives within the CDP restricting solar farms as proposed in the LCA.
- 8.3.9. The Planning Statement¹⁸ details the proposed grid connection route will link to the national grid via the existing Lanesborough–Mullingar 110 kV overhead circuit via two overhead line end masts in a loop-in arrangement. This is considered acceptable.
- 8.3.10. The appeal site is located in a rural area and is currently in agricultural use. I note the proposed development when operational will also provide for the continuation of agricultural use as well as the proposed solar farm. I am satisfied the proposal can be considered diversification of agricultural use and is not an industrial use. I consider requirements for information on soil types¹⁹ and soil quality testing as regards loss of productive agricultural lands etc. unnecessary and not sufficiently supported in policy.
- 8.3.11. Overall, the proposed development is clearly supported by national, regional, and local policies in terms of renewable energy. The proposed development at this

¹⁸ Section 2.2, the grid connection will be subject to a future separate planning application. See also section 3- 'The Project'

¹⁹ I note the Applicants AASR and NIS section 1.2.6 describe soil and subsoils as "*...a mix of peat, well drained and poorly drained soils across both blocks. The soil types on the site are predominantly fine loamy drift with limestones and small linear areas of peat*"

location is therefore considered acceptable in principle subject to other planning criteria as examined below.

8.4. Procedural Matter- Validation and Completeness of FI submitted, post compliance submissions.

- 8.4.1. Some Appellants raise concerns regarding the validation of information submitted with the application, the extent of the Applicant's further information response e.g. the failure of the Archaeological Assessment to provide sufficient information as per the DAU Request for Further Information and the reliance on post consent conditions for archaeology and other matters including transport. They consider the decision to grant cannot therefore ensure a complete and adequate consideration of all impacts arising from the proposed development.
- 8.4.2. It is the Planning Authority who are tasked with validating planning applications received under Section 34 of the Act and in the context of Article 22 of the Planning and Development Regulations 2001 as amended. Longford County Council have considered the subject application to be valid. I have considered the Appellants concerns in this regard. I am satisfied the information submitted with the application including at Further Information stage are of an acceptable standard and do provide a reasonable basis for consideration of the application.
- 8.4.3. I acknowledge concerns in relation to reliance on post consent compliance conditions for construction stage impacts and thereafter third parties inability to participate in this process. Save for matters related to the BESS facility which I consider separately in this report, I am satisfied that conditions of this type are generally typical for such planning applications and I highlight the use of such conditions are facilitated and encouraged as appropriate in the Development Management Guidelines 2007.
- 8.4.4. I do not consider there to be any significant issues regarding procedural matters as raised in the appeals.

8.5. Duration of Permission and Period of Operation

- 8.5.1. The Applicant seeks a 10-year planning permission for the proposed development and a 40 year period of operation.

8.5.2. In terms of the expected construction period, I note the following from the submitted Construction and Environmental Management Plan (CEMP)-

- Section 3.2 sets out the Programme Timeline and states-

“The construction of the proposed development is anticipated to take approximately 12 months from the commencement of on-site works through to full commissioning and operational readiness of the facility”

- Figure 3.1 shows the 12 month ‘Outline Construction Programme’
- Figure 4.1 presents the ‘Estimated number of deliveries per month during the 12-month construction phase’

The programme timeline is also repeated in Figure 4.1 of the ‘Traffic Management Plan’.

8.5.3. In the Applicant’s response to the Appeals they contend that 10 years is required to build out the development. However in the context of the proposed construction programme this has not been justified.

8.5.4. I acknowledge that other consents such as that for grid connection are not yet acquired however in the absence of a substantiated justification for a 10 year planning permission, the 12 month construction period is considered relatively short in the context of a typical 5 year permission. Should the Commission decide to grant permission a standard 5 year permission is recommended.

8.5.5. The proposal seeks an operational lifespan of 40 years. Concerns have been raised in the Appeals regarding the life span. The Applicant’s response to the appeals refers to 40 years for the operational period before decommissioning or a further grant of permission. This is considered typical. Should the Commission grant permission for the proposal a 40 year life span is appropriate.

8.5.6. In conclusion a 5 year permission duration is considered appropriate and a 40 year operational lifespan is considered acceptable.

8.6. EIA Screening

8.6.1. Concerns are raised within the appeals regarding considerations of the proposed development against the requirements of the EIA Directive including cumulative

considerations. This includes a lack of consideration of the proposed BESS as part of the project and consideration of the proposal against class (10)(b) installations for the storage of chemical products as set out in the Planning and Development Regulations 2001, as amended.

- 8.6.2. I am satisfied the proposed solar farm and/or the BESS alone and together are not classes of development for the purposes of Part 1 and 2 of Schedule 5 of the Planning and Development regulations and that includes class 10 (b) (Part 1- *Waste disposal installations for the incineration or chemical treatment*) (Part 2- *Infrastructure projects*)
- 8.6.3. The Commission is referred to section 5.7 and Appendix 1 and 2 of this report where I have carried out my own EIA screening of all the proposed development including consideration of cumulative matters as required.

8.7. **Grid Connection**

- 8.7.1. The Planning Statement details the proposed grid connection route will link to the national grid via the existing Lanesborough–Mullingar 110 kV overhead circuit via two overhead line end masts in a loop-in arrangement. These wires traverse the southern parcel and are identified in the submitted drawings- e.g. 7426-JOD-XX-DR-P-106
- 8.7.2. The Planning Statement²⁰ details that the proposed connection to the national grid will be subject to a future separate planning application and I note the drawing detailed above ending in 106 shows provision for a Substation and Indicative 110kv Tower loop-in location and grid connection corridor.
- 8.7.3. Requirements for future grid connections and planning applications are typical of many renewable energy development proposals and usually rely on such applications being made by EirGrid in their role as Statutory Undertaker and the provisions of Section 182 of the Planning Acts as amended. This is acceptable.

²⁰ Section 2.2

8.8. BESS Related Concerns

- 8.8.1. Concerns have been raised in relation to the proposed BESS facility and safety related impacts from same such as risks from chemicals, spills and fire etc.
- 8.8.2. The Commission are referred to the following documents-
- 'Battery Energy Storage System Compound' report prepared by Plan Energy (date stamped 14/11/2025)
 - 'Fire Safety Statement' report prepared by Plan Energy (date stamped 14/11/2025)
 - Construction Environmental Management Plan (CEMP) prepared by Plan Energy (date stamped 14/11/2025)
 - 'Fire Safety Assessment and Advice' report prepared by 'Regent Fire Consultants' (submitted as Unsolicited Further Information, date stamped 16/12/2025)
- 8.8.3. The Planning Authority initially sought FI on matters not related to fire. The Applicant's response to FI was readvertised as significant and the Planning Authority ultimately decided to grant permission. Condition 18 requires the CEMP to be updated etc. to include a number of matters including 'emergency response planning'. The Planning Authority also attached a note to their grant stating-
- "*Note: It is the responsibility of the Applicant/Developer to ensure that the requirements of the Chief Fire Officer (Longford County Council) are ascertained and fully complied with in the development."*
- 8.8.4. In response to the Appeals the Applicant refers to the submitted Fire Safety Report (Statement) and that the CEMP details the measures which will be taken to protect public and environmental quality.
- 8.8.5. I have considered the contents of the documentation submitted including in response to the appeal. In particular I note Section 9 of the CEMP is titled 'Management Plans and Available Information'. It includes an 'Emergency Response Plan' in section 9.1. This relates to environmental matters and does not relate to fire.
- 8.8.6. The CEMP does include a 'Fire Risk Control Management Plan' in section 9.3. Section 9.3.4 deals specifically with 'Risk from Contaminated Fire Water' and details

the BESS compound will include a bunded drainage system with settlement ponds sized to hold 24 hours of firewater storage. Discharge points will be closed during a fire event, and contaminated water will be removed by licensed contractors to an EPA-approved treatment facility.

- 8.8.7. The 'Fire Safety Assessment and Advice' report²¹ is detailed as a desktop Fire Safety Assessment of the proposed Ballymahon Solar Farm BESS Facility. It includes a Hazard Mitigation Analysis (HMA) and details that if the mitigation measures proposed are implemented, the fire and explosion hazards which are considered relevant to this proposed facility will be adequately controlled and mitigated. It is noted the report clearly states-

*"the content of this Fire Safety Assessment and Advice Report **MUST BE** the subject of a full review prior to commencement of construction and the associated Report submitted to the approving authority for review/approval prior to commencement of construction."*

- 8.8.8. The report details that the Applicant intends to *"only use lithium iron phosphate (LFP) battery technology at the site"* and that *"lithium-ion battery technology will not be used."* Regent Fire Consultants then make it very clear that alternative products could be installed given the nature of the industry and the guidance/standards current at the time of construction. They have adopted an approach whereby minimum provisions are proposed and it is recommended that the chosen BESS product achieve those minimum provisions.
- 8.8.9. Section 1.3 of the Report details consultations between the Applicant and Longford's Fire Service were held in advance of the application. The outcome of this was that the Fire Safety Assessment would be prepared. This section then concludes by recommending further consultation should be held with the Fire Authority once a detailed design is produced and prior to commencement of the construction phase to establish what (if any) regulatory procedures are required to demonstrate compliance with relevant guidance (where such guidance is produced in the intervening time). The Applicant has put forward their design for planning approval

²¹ Unsolicited Further Information.

and it is not clear to me why consultations on this basis were not held with the Fire Authority.

- 8.8.10. Section 2.0 is titled the Basis of Assessment. It considered applicable legislation and guidance as detailed. It refers to NFPA 855²² – ‘Standard for the Installation of Stationary Energy Storage Systems’ was ‘*drafted to address the design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems*’. Regent Fire Consultants considers NFPA 855 is the most applicable design guidance for BESS facilities pending the publication of local guidance.
- 8.8.11. In the absence of an Irish equivalent, ACP has had regard to the UK’s National Fire Chief’s Council (NFCC) Grid Scale Battery Energy Storage System Planning - Guidance for the FRS (Fire & Rescue Services) for some time now. The Applicant’s submissions do not appear to refer to this guidance other than when referring to separation distance for sensitive receptor from BESS facilities²³.
- 8.8.12. Section 2.1.5 of the Report then refers to provisions of the ‘Building Control Act and Building Regulations’ including requirements for buildings to achieve certain fire safety standards. BESS facilities do not come within the provisions of such requirements given the absence of Fire Certification process for such proposals. The authors state-
- “..it is the opinion of this consultancy that BESS facilities which are comprised of externally located self-contained equipment would be outside the scope of application of Part III of the Building Regulations, it may be the case that this opinion differs with that of the relevant approving authorities.”*
- 8.8.13. Section 5.0 of the report is titled Hazard Mitigation Analysis and is detailed as in accordance with advice/guidance in NFPA 855. A series of hazards are then identified in section 5.1. Thermal Runways are discussed in section 5.1.5. Mitigation measures are then set out in section 5.2 and range from construction and siting, protection against overheating (suppression systems etc), monitoring and maintenance etc.

²² National Fire Protection Association (NFPA) in the United States of America

²³ See section 3.4 of the submitted Fire Safety Statement prepared by Plan Energy.

8.8.14. Section 5.2.14.2 refers to NFPA 855 guidance and sets out recommendations including that the local Fire and Rescue Service should develop a pre-incident plan for responding to fires, explosions, and other emergency conditions associated with the BESS facility etc. It also includes requirements for water supplies which are detailed as included for *“informative purposes”* and states it is the *“discretion of the local fire authority as to the requirement for water and hydrant provision at the site”*. The report does not put forward actual measures for water supply and instead relies on requirements of the NFPA 855 guidance.

8.8.15. I note section 3.3.3 of the CEMP details-

“Water will be supplied to the site via a potable water bowser, with an estimated maximum daily consumption (and corresponding wastewater production) of approximately 1,000 litres”

This is understood to be a mobile container without a fixed supply and it is considered unlikely to be sufficient to account for situations such as significant demands for firefighting water.

8.8.16. Section 5.2.15 is titled ‘*Management*’ and includes a non-exhaustive list of recommendations which should be implemented once the site is operational. The first of these is considered to be preparation of an Emergency Response Plan (ERP) prior to commissioning of the facility. This is considered separate to the ERP detailed in the CEMP which is for environmental matters.

8.8.17. Section 6.0 sets out a Table and details Hazard Mitigation Analysis and Recommendations. Specific Mitigation measures are then detailed.

8.8.18. Having considered all of the above and the relevant information on file, the management measures as set out are not considered sufficient to adequately address the nature of fire related risk from the proposed BESS facility. In particular the information submitted does not adequately or specifically-

- demonstrate how the potential risk of fire occurring on the site would be addressed and minimised with particular regard to site access, control strategy and the proximity of nearby properties in for example a scenario of explosion control.

- identify preventative measures for potential causes of fire hazard and there is limited evaluation of the associated risk of same.

The information submitted appears to rely significantly on post permission consultations/agreements/compliance that cannot adequately address the fire related risks to public safety for such a proposal prior to a grant of permission.

8.8.19. I have considered the provisions of the UK's National Fire Chief's Council (NFCC) Grid Scale Battery Energy Storage System Planning - Guidance for the FRS (Fire & Rescue Services), the information above and all of the information on file. There is insufficient information of file with regard to fire safety, including in particular consideration of the stated UK guidance in the event of a fire hazard e.g. site-specific dedicated fire access routes (alternative access points), firefighting water supply requirements, site-specific water sources if any, locations and sitings of fire hydrants and storage containers etc. There is significant concern in this regard with no actual source of water supply indicated in question 20 of the planning application form other than "*Water will be brought in to site in Containers*" while noting settlement ponds are to be sized for 24 hours of firewater storage²⁴. Given the nature of the proposed development I do not consider it appropriate for such matters to be addressed by way of condition.

8.8.20. I also consider information in relation to a fire Emergency Response Plan is lacking to include a reactive strategy with clear procedures to follow in the event of a fire, detailing the specific actions the facility operator must take to respond quickly and effectively in the event of a fire or related emergency. In this regard I note the NFCC guidance details-

"Several manufacturers of BESS now advocate that if a thermal event occurs in a BESS unit and this progresses to thermal runaway, the BESS cabinet/enclosure should be allowed to consume itself or in other words, burn itself out."

8.8.21. In the absence of a comprehensive firefighting water containment strategy based on acceptable firefighting strategy for the site to include adequate water supply provision that forms part of a Fire-related Emergency Response Plan (ERP) and

²⁴ CEMP Section 9.3.4

thereafter as detailed in the subsequent Construction Environmental Management Plan (CEMP) I am unable to determine that the proposed BESS facility would not be detrimental to achieving Water Framework Directive objectives.

- 8.8.22. Accordingly, I cannot conclude with certainty that the proposed development has sufficiently designed in adequate measures for emergency planning, firefighting and water supply in the event that a significant fire event e.g. the need for a controlled burn and subsequent implications for drainage. In the interests of public safety and having regard to Water Framework Directive concerns, I do not recommend that such concerns be addressed through planning conditions. Accordingly, I recommend that the BESS facility is not permitted and is omitted from the development should the Commission decide to grant permission.

8.9. Archaeological Related concerns

- 8.9.1. The Appeals raise concerns regarding LCC's decision to grant permission subject to an archaeological conditions despite the fact that the DHLGH- DAU submission to the FI response details that the Applicant has failed to submit sufficient information as required by the FI request.
- 8.9.2. The Applicant submitted an archaeological assessment with the application which included survey work carried out under licence. The DAU initial submission to the application notes the site contains a number of recorded monuments and the fact that the field survey have identified other features of possible interest. Accordingly they recommended that an Archaeological Impact Assessment, as outlined and including test excavations, should be prepared to assess any impact on archaeological remains within the proposed development site. This recommendation formed part of LCC's FI request.
- 8.9.3. The Applicant responded to the FI request and submitted an updated Archaeological Assessment dated March 2026 including a 'Method Statement for Archaeological Test-Excavation'. The submission details that recorded monuments and designated Zones of Notification have been entirely avoided. Furthermore the potential archaeological features identified in the geophysical survey have also been entirely avoided by applying a 20m non-development buffer zone from the outer edge of the

recorded or possible feature allowing for the preservation in situ of any features that may ultimately be confirmed during subsequent stages of investigation.

8.9.4. The Applicant argues that a programme of archaeological test trenching prior to the determination of the planning application would not be proportionate for reasons outlined including the nature of surveys undertaken and mitigation measures proposed.

8.9.5. The DAU made a second submission on the FI in which they state

“This Archaeological Assessment fails to provide sufficient information requested within the Request for Further Information.”

Notwithstanding this the DAU make a clear recommendation that permission could be granted subject to conditions as detailed in their submission.

8.9.6. The Applicant’s response to the Appeal contends similarly to the FI response and details the archaeological assessments already undertaken include a comprehensive desk-based study and geophysical survey, representing a high standard of archaeological investigation typically undertaken at planning stage for solar developments in Ireland. Extensive mitigation measures are proposed. They argue that a programme of archaeological assessment, including targeted test excavation should form the basis for a planning condition and that should archaeological material be identified appropriate mitigation will be implemented in full consultation with LCC and the National Monument Service.

8.9.7. I have considered all of the information on file, the submissions of the DAU and the contents of the appeal. I am satisfied the concerns raised can be addressed by application of a planning condition such as that proposed by the DAU and LCC.

8.10. Traffic & Transport Related Concerns

8.10.1. Concerns raised in the appeals include the imposition of Condition 14 by LCC which suggests LCC could not have sufficient information to conclusively determine the likely traffic and road safety impacts arising from the development. It is argued that this undermines DMS16.181(c) of the LCDP which details the Planning Authority will take *“Traffic impacts including details of haul routes”* into account when considering such applications.

- 8.10.2. Other concerns raised include road safety during works, ability of residents to access and egress their homes safely, underground cabling insufficiently addressed, the absence of a full Transport Assessment for the proposed development, compliance with CPO 5.29 and 5.160 and the need for a road safety audit including at site entrances.
- 8.10.3. I have considered the need for a Traffic Impact Assessment and Road Safety Audit as per the requirements of the Traffic and Transport Assessment Guidelines 2014. I do not consider such assessments or a (junction) capacity analysis are required given the size, nature and location of the development proposed.
- 8.10.4. The Applicant has submitted a 'Traffic Management Plan & Site Access Report' (TMP&SAR) for the proposed development which is considered a robust and adequate consideration of relevant road related issues for a development such as that proposed. The application proposes making use of two existing agricultural entrances²⁵ for the proposed construction and operation stages of the development. 90m and 160m of sightlines are proposed to both entrances on the L-5227 and the R397 respectively.
- 8.10.5. The TMP&SAR details anticipated traffic during both construction stage and operational stage in section 4. It is noted construction and delivery vehicle movements will be scheduled outside the morning and evening peak traffic periods. Figure 4.2 then presents the estimated number of construction and delivery vehicle trips per month for the proposed 12-month construction period, based on the anticipated construction programme and material supply schedule with the average daily ranging from 4-7 movements which is not considered significant.
- 8.10.6. Possible delivery routes and swept path analysis are then discussed in section 5 with a potential option presented as from Dublin Port to the site and shown in Figures 5.1 and 5.2.
- 8.10.7. I note the works required to public roads which are under the control of LCC. In this regard I am satisfied that separate licensing arrangements will be required to ensure public safety during construction stages and concerns in this regard including access and egress arrangements to private property are not considered significant.

²⁵ See drawings ending in 201 and 202.

- 8.10.8. I note requirements for Road Safety Audits (RSA) as set out in the LCDP such as CPO 5.23 and 5.27. I do not consider the proposed development to be of a significant scale which may have potential implications on major transport infrastructure nor does it propose works to or adjoin the national road network. I do not consider a RSA necessary in this regard.
- 8.10.9. I acknowledge the concerns raised in relation to the imposition of condition 14. However I do not consider this condition undermines DMS16.181(c) of the LCDP. I have considered all of the information on file including the TMP & SAR and I am satisfied it adequately addresses typical 'Traffic and Transport' related matters necessary for such developments including road access, impacts on the road network and haulage routes. Accordingly the proposal is considered consistent with the requirements of DMS16.181(c), CPO 5.29 and CPO 5.160. Application of conditions such as number 14 is typical of all such developments and should the Commission decide to grant permission a roads related condition should also be applied.
- 8.10.10. Having considered all of the above and all of the information on file I am satisfied that subject to the measures proposed and conditions as appropriate the proposed development is acceptable in terms of transport and traffic related impacts and will not lead endanger public safety or create traffic hazards.

8.11. Impact to Residential and Visual Amenities

- 8.11.1. The Appellants raise residential and visual amenity related concerns that will be considered as follows.
- 8.11.2. **Separation Distances**
- 8.11.3. Concerns are raised about the proximity of the proposed development to existing dwellings and the qualitative basis for same. An appeal questions the basis of assessing visual effects of same with 20m appearing to form the basis of the Planning Authority's assessment²⁶. This is considered inconsistent with the requirements of DMS16.181(b) and DMS16.181(e) i.e. "*environmental and social*

²⁶ The Planning Authority requested this at FI stage.

impacts” and “impact of the development on the landscape and the Zone of Visual Influence”.

8.11.4. I have considered the matter of separation distances in the context of the appeal and the requirements of DMS16.181(b) and DMS16.181(e). There is no stated separation distance requirement in this regard. I note the proposed solar arrays appear to be in significantly in excess of 20m from most dwelling houses near the boundaries of the site. I note an Appellants house N39 X6Y9 does not appear to be shown on the drawings but is identified in Figure 2.2 of the FI response report. This dwelling appears to be in excess of 80m from the nearest proposed solar array and is considered well screened by existing boundary vegetation.

8.11.5. Having considered the above and as further set out in this assessment, I do not share the concerns of the Appellant regarding consistency with the criteria set out in DMS 16.181. The separation distances proposed to residential properties in the area are considered acceptable in the context of the subject application.

8.11.6. Glint and Glare

8.11.7. Appellants raise residential amenity concerns regarding glint and glare from the proposed development. In particular the requirement by LCC to impose condition 10 for mitigation measures identified in the submitted Glint and Glare Study to be implemented are questioned. As is the absence for receptor specific modelling for the nearest dwellings. An appeal details that consideration of roads within 1km is considered best practise and failure to do so risks hazardous glare affecting road safety and residential amenity.

8.11.8. The Applicant has submitted a ‘Solar Photovoltaic Glint and Glare Study’ with the original application and updated at Further Information Stage. This has been prepared by ‘Lint’.

8.11.9. In response to the Appeals and concerns regarding the absence of site specific modelling the Applicant contends a full assessment has been carried out on the residential receptors in the area and that all receptors considered to be impacted were included.

8.11.10. I have reviewed the Glint and Glare Assessment (GGA) included the updated version of March 2026. It is indicated on page 10 of the GGA that-

“No formal policy or methodology exists at present within Ireland with respect to the interaction of solar PV installations and aviation activity. Any guidance that has been published is relatively high level and does not indicate a formal approach to the assessment of glint and glare hazard.

8.11.11. I also note the CPO- 5.16 of the CDP requires proposals for solar energy to address Glint and Glare and the potential impact on the adjoining road networks and dwellings through the submission of an associated report. DMS 16.181 (d) details the planning authority will consider the following in their assessment-

“Glint / Glare and the potential impact on the adjoining road networks and dwellings through the submission of an associated report.”

I am satisfied the submission and contents of the GGA are generally consistent with the requirements of CPO 5.160 and DMS 16.181 of the LCDP.

8.11.12. I have not been able to identify any requirement within the LCDP or elsewhere requiring a minimum 1km consideration zone for glint and glare as detailed in an appeal. I am satisfied the use of a 500m²⁷ analysis buffer as per the GGA is reasonable in this regard given the nature and location of the proposed development. I am also satisfied it adequately identifies potential receptors including those potentially impacted. I further note the GGA also considered aviation related receptors within a 20km radius which is also considered reasonable.

8.11.13. In summary the GGA concludes that there is no potential for significant glare impacts to aviation nor to residential and road receptors. One dwelling was found to have some geometric potential for glare and a recommendation is made to impose screening in this regard to mitigate against the potential. Some roads were also found to have potential for glare but the extent of impact is considered low.

8.11.14. I acknowledge concerns raised in the appeals. However, I am satisfied the GGA as submitted including its methodology are a reasonable and robust consideration of the potential impacts that are likely to arise from glint and glare from the proposed development. I am satisfied the GGA provides a reasonable basis for considering the extent of likely impacts and such impacts would not be significant.

²⁷ 71 dwellings identified that 2 regional roads and sections of local roadway- See figure 14 of GGA.

8.11.15. Having considered the full contents of the GGA, all the information on file and subject to condition including that as suggested by LCC (which is considered typical and reasonable) I am satisfied the development as proposed is not likely to lead to significant and adverse glint and glare impacts upon residential amenity as well as traffic and road safety.

8.11.16. **Noise**

8.11.17. The Appeals raise residential amenity concerns regarding noise from the proposed development during operation and construction as well as the methodologies employed in the submitted Noise Assessment such as the requirement to consider noise from BESS cooling fans separately, lack of consideration of tonal characteristics etc, impacts of noise on sleep and a need for noise monitoring.

8.11.18. The Applicant contends that noise considerations have been fully considered and two reports have been prepared by 'Irwin Carr' indicating no significant noise impacts either during construction, operation or cumulatively with other solar farms proposed in the area.

8.11.19. The Commission is advised the proposed BESS is located in the southern parcel²⁸ of the application site and would appear to be located some distance (c.500m) from nearest residential properties.

8.11.20. It is noted that CPO 12.112 of the LCDP requires the submission of a Noise Impact Assessment for all developments likely to introduce noise generating uses in proximity to noise sensitive uses. In this instance the Applicant has submitted a Noise Impact Assessment (NIA) Report as updated at FI stage prepared by Irwin Carr Consulting.

8.11.21. The NIA submitted at FI considers construction and operational noise separate. Construction is assessed using the methodology described in BS 5228²⁹ and NRA/TII guidance as detailed. Operational Noise is considered against the EPA's NG4³⁰. Both of these guidance material are considered typical for such

²⁸ See FI drawings ending in 100, 111 and 112.

²⁹ Code of practice for noise and vibration control on construction and open sites

³⁰ Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)

proposals. The NIA also considers cumulative impacts with specific regard to a proposed nearby solar farm 24/60325 and PL-500085-LD³¹.

8.11.22. Section 4 of the NIA details that two discrete locations representative of the closest potentially affected noise sensitive receptor locations to the proposed development were used for the noise survey. Figure A.2 identifies these locations which appear to be located around the southern parcel. Noise sensitive receptors for both northern and southern parcels are identified in Figures A.3 and A.4.

8.11.23. Section 5 of the NIA discusses noise predictions including utilisation of noise modelling for both construction and operation. In terms of operation the NIA discusses sound power levels associated with plant items including 'battery cooling fans' and it is detailed that all plant are modelled with a 100% on time. Predicted operational noise levels during construction and operation are presented in Table 11 with 51 receptors identified.

8.11.24. Section 6 details that in terms of-

- Construction- *The highest predicted noise level during the construction phase is 50.2 dB. The construction noise from the site will not be significant.*
- Operation- *predicted operational noise levels at the nearest receptor locations in the vicinity of the site are 45 dB, therefore the predicted noise levels from the operation of the site will comply with the daytime, night-time and evening criteria as set out in NG4.*

8.11.25. Cumulative noise impacts are assessed in section 6.3 with two shared noise-sensitive receptors identified

8.11.26. A number of typical mitigation measures are also detailed in section 7 despite the impacts of noise being considered as not significant. For construction these are detailed to be incorporated into the 'Outline CEMP'. Section 5.5.4 of the CEMP deals with noise & vibration and does not appear to include the measures detailed in section 7 of the NIA. Notwithstanding same I am satisfied that this can be addressed through condition should permission be granted.

³¹ See section 4 of this report.

8.11.27. Regarding operational noise, Section 7.2 of the NIA details no specific mitigation measures are considered necessary. Subject to planning conditions I am satisfied all operational noise related concerns can be adequately addressed should the Commission decide to grant permission.

8.11.28. I have considered the contents of the NIA in full in the context of the concerns raised. I consider the Noise Assessment comprehensive and robust. I also note Longford County Council granted permission subject to a noise condition which has not been appealed by the Applicant indicating their acceptance of same.

8.11.29. In this regard and noting the distance of the main operational noise sources i.e. from existing residential properties, the relatively short duration of construction works and subject to suitable planning conditions regarding the information submitted, operating noise levels (including for tonal characteristics) and construction hours, I am satisfied that the proposed development will not have significantly adverse noise impacts.

8.11.30. Notwithstanding any of the above regarding Noise the Commission is reminded of my recommendation to omit the BESS facility as discussed in section 7.7 of this report.

8.11.31. **Visual Impacts**

8.11.32. An appeal raises concerns in relation to visual impact including the absence of photomontages from the nearest dwelling to the proposed site and argue that the proposal will form a prominent and potentially dominant feature within the immediate setting of the Appellants dwelling, affecting principal views from the property together with the amenity of associated garden and curtilage areas.

8.11.33. The Commission will be aware that matters relating to rights to views are not ones for the planning system. I acknowledge the concerns raised in this regard, but do not consider the development as proposed will form a prominent or dominant feature from residential properties in the area. I do not consider the proposal will significantly and adversely impact upon the amenity of associated gardens and curtilage areas particularly in the context of the policy basis for such developments as discussed in section 7.3 above.

8.11.34. Further consideration to visual impact concerns are also set out in section 7.11 below.

8.11.35. Overall I am satisfied the proposed development will not significantly and adversely impact upon existing visual and thereby residential amenity of properties in the vicinity of the site.

8.11.36. **CCTV**

8.11.37. Concerns raised include lack of assessment regarding visibility, visual prominence or the perception of overlooking and associated impacts on residential privacy and amenity.

8.11.38. The Applicant details in their response to the appeals that 16 CCTV units are proposed, two at each site entrance, three within the substation area, two within the BESS compounds and the remainder located at key positions along the site boundary to ensure full site coverage. All cameras face into the site towards the proposal and not to residential properties. The Commission are referred to drawing ending in 804 which shows that CCTV fixtures are 3.01m high and detailed as facing 'inward facing'. See also various layout plan drawings including those ending in 102, 106, 108, 109, 111 and 112.

8.11.39. I do not consider the proposed CCTV structures visually prominent. The orientation of the units into the site, their distance from and orientation away from residential property is considered acceptable and does not lead to overlooking or undue loss of privacy.

8.11.40. **Conclusion**

8.11.41. Having considered all of the above and subject to appropriate planning conditions, I am satisfied the proposed development would not seriously injure existing residential and visual amenities of the area.

8.12. **Landscape and Visual Assessment**

8.12.1. The Appeals include concerns regarding the landscape and visual impact of the proposed development. An Appeal highlights the contents of the submitted LVIA which acknowledges that a number of viewpoints will experience "High-Moderate"

visual effects and this materially differs from the Planning Authority's conclusion as well as acceptance of mitigation measures including future hedgerow growth to reduce impact. Other concerns include the absence of photomontages from the nearest dwelling to the site and the consideration of views in September rather than Winter months. Reference is made to the Guidelines on Landscape and Visual Impact Assessment (GLVIA, 2013) which details seasonal variation should be considered. In terms of Landscape sensitivity the appeal refers to the proximity of canals, rivers, and scenic views.

8.12.2. I have visited the site and inspected it from its roadside boundaries, public roads in the vicinity, neighbouring residential properties and the general area of viewpoints as identified in the LVIA as well as the wider area.

8.12.3. I have reviewed the submitted and revised LVIA documents (including photomontages etc.) in the context of the site, its setting and the provisions of the LCDP. I am satisfied that these both provide a thorough and reasonable consideration of the extent of landscape and visual impacts likely to arise from the proposed development and a general indication of impacts from identified receptors which I consider are representative of other receptors in the area. I do not consider it reasonable to provide photomontages from every existing property in close vicinity to the application site.

8.12.4. LCC originally raised some concerns at FI stage regarding the visual impact of the proposed development including along roadside boundaries and sought revised landscaping proposals. The Applicant submitted a revised 'Landscape Mitigation and Biodiversity Plan' at FI stage which includes planting a double row of semi-mature hedgerow/tree planting along roadside boundaries and boundaries between any nearby residential properties and other revisions. A revised 'Landscape and Visual Impact Addendum' was also submitted at FI stage. This reviewed the original predicted findings of the LVIA and then reassessed the identified affected landscape and visual receptors against the revised proposed development site layout (including revisions to construction compound locations etc.) Three revised drawings are submitted with the LVIA in this regard and show the revisions to landscaping at roadside boundaries.

8.12.5. The Commission is reminded the site is located within a 'Landscape Character Area' as described in the LCDP i.e. 'Unit 7 – Open Agricultural Lands'. The Landscape Sensitivity for this Unit is described as-

“Visual sensitivity of the landscapes in this unit are generally LOW to MEDIUM. An exception to this designation is the vicinity of the Royal Canal, the River Inny, in Upland Areas with designated scenic views, and in proximity to the heritage village of Ardagh where sensitivity is HIGH..”

8.12.6. The southern boundaries of the Southern Parcel of the application site is located c. 500m north of the Royal Canal with views from the canal to the site considered intermittent and not significantly and adversely impacted by the proposed development. In this context, I am satisfied the proposal will not have significant and/or adverse impacts upon the landscape character of the area including the vicinity of the canal, nor will it have significant and/or adverse impacts from protected views and other receptors in the area including residential properties.

8.12.7. Section 14.7 of the LCDP identifies 'Protected Views'. F.S.17³² is considered the only protected view likely to be impacted by the proposal. This route is part of the public road located just north of the northern parcel of the application site and travels north to north east in the direction of Ardagh. I acknowledge some parts of the southern end of this view may be impacted by the proposed development, however having visited the site and inspected this route, I do not consider such impacts to be significant or adverse. Furthermore, the proposed mitigation at FI stage along this section local road is likely to reduce the magnitude of any such impact over time.

8.12.8. Other protected views as per the LCDP are considered to be significantly distant from the site and it is further noted that views to or from the Royal Canal are not identified as protected in the context of the application site.

8.12.9. In terms of Landscape impacts the LVIA considers construction and operational impacts. The construction stage is deemed to have 'Medium' magnitude impacts with duration detailed as 'temporary'. The revised LVIA considers changes proposed at FI stage but concludes that the revisions do not alter the original findings. In terms of the operational impacts the LVIA finds the proposal will also have a 'Medium'

³² See figure 1.8 of the original LVIA.

magnitude with a 'long term' effect. No notable changes are considered following the revised FI proposals. These are then described in Table 1 of the revised LVIA.

8.12.10. In terms of Visual impacts the LVIA considered 11 viewpoints and three further for potential cumulative impacts. The FI response is detailed to impose some changes to the assessment of original viewpoints and these have been fully considered.

8.12.11. I acknowledge concerns raised regarding the guidance in GLVIA 3rd edition which details consideration should be had to seasonal variation. However, I am satisfied the contents of the submitted LVIA's and the landscaping measures proposed are sufficient to adequately address related concerns. Notwithstanding same I do not consider the proposal will have significant and adverse landscape and/or visual impacts in the context of the application site, its setting and the policy provisions for such renewable energy proposals at national, regional and local levels.

8.12.12. Generally, I consider the submitted LVIA to be a robust and well-reasoned consideration of the main landscape and visual impacts issues of the proposed development in its local and wider context, with specific regard had to the designated LCA which the site is located as per the LCDP.

8.12.13. Overall and in particular noting the sites existing context and in particular the sites suitability in principle³³ for such proposals and wider national, regional and local planning objectives, subject to suitable conditions including the landscape plan layout and mitigation measures as proposed, I do not consider the proposed development would have significantly adverse landscape or visual effects and is not considered contrary to policies or objectives of the LCDP.

8.13. **Biodiversity and Ecology related Concerns**

8.13.1. A number of concerns are raised in the Appeals. I am satisfied many of these are addressed in sections 5.7 & 7.5 (EIA Screening), section 8 (AA) and section 9 WFD of this report. Other matters raised that I consider substantive under this section include-

³³ See section 7.3 of this assessment

- The absence of long term monitoring programme for the operational life of the development including matters such as Invasive Species Control and the need for a Biodiversity Management Plan
- The adequacy of the submitted bat report and consideration of impacts such as hedgerow commuting routes and lighting
- Need for compliance with Section 50 of the Arterial Drainage Act 1945, including whether an OPW licence is required and method proposed for water course crossing.
- Lack of consideration of wider terrestrial habitat for Smooth Newt and Amphibian Habitats

8.13.2. The Applicant has submitted a number of related documents including the following relevant documents submitted in response to the FI request-

- an Updated Preliminary Ecological & Protected Species Assessment dated March 2026 prepared by Tera Tech. This report is detailed as valid for 18 months until October 2026 in accordance with CIEEM (2019).
- Badger Survey Report prepared by Tetra Tech
- Outline Badger Conservation Plan prepared by Tetra Tech
- Bats - Preliminary Roost Assessment and Ground Level Tree Assessment Plan prepared by Tetra Tech
- Breeding Bird Species Technical Note prepared by Tetra Tech
- Smooth Newt - Habitat Suitability Index (HSI) Assessment prepared by Tetra Tech
- Otter Survey Report prepared by Tetra Tech

8.13.3. I note a number of validity dates are detailed in some of the documents above and notwithstanding any that may have since passed, I am satisfied the information within remains substantive for the purpose of consideration of this application.

8.13.4. Having reviewed all these documents including all other information relevant on the file, I am satisfied they represent a reasonable, comprehensive and robust

consideration of all matters relevant to biodiversity and ecological matters including those as raised in the Appeals.

8.13.5. I note a number of typical and appropriate mitigation measures are proposed including appointment of Ecological Clerk of Works with responsibilities including monitoring which forms an important element of the overall proposal. Such monitoring is detailed throughout the application documents including as follows-

- in section 5.0 of the Badger Survey Report, section 4.2, 4.6, Table 2&4 and section 5 of the Outline Badger Conservation Plan
- Section 4.1 of the Breeding Bird Species Technical Note and
- Table 6 of the Otter Survey Report including 'Post-construction' i.e. section 5.0 states 'Continuous monitoring by an ECoW'.

8.13.6. The Preliminary Ecological Assessment³⁴ details that-

"No invasive non-native plant species (INNS) were recorded on site. While it remains possible that additional evidence of INNS species may emerge later in the season, no evidence of common invasives were noted during the survey."

It is then further detailed³⁵ that-

"the site should be regularly monitored for invasive non-native species (INNS) during and post construction to prevent spread and an offence under current legislation. General precautionary measures to prevent the introduction and spread of INNS should be undertaken (such as clean, check, dry policy for tools and machinery before entering site). In the event an invasive species is identified at any point during the works, findings should be reported to a suitably qualified ecologist."

8.13.7. I am satisfied the above represents a reasonable consideration of Invasive Species related matters and adequately addresses concerns raised the Appeals regarding Invasive Species and monitoring during both the construction and operational (post construction) stages.

³⁴ Page 8

³⁵ Page 13

- 8.13.8. I note concerns raised regarding a 'Biodiversity Management Plan'. The Applicant has submitted a revised 'Landscape and Biodiversity Plan' with their Further Information Response- see three drawings attached to rear of revised LVIA. Subject to condition, I am satisfied concerns regarding a biodiversity management plan are adequately addressed in this context.
- 8.13.9. I note concerns raised regarding deficiencies in the submitted bat assessment. I have considered the contents of the 'Preliminary Roost Assessment and Ground Level Tree Assessment'. A number of recommendations are set out in section 4.1 and Table 9 including mitigation by avoidance and/or emergence surveys. Other measures such as endoscope surveys are suggested. The measures detailed include obtaining necessary licences should bat roosts be identified with associated development of a 'Protected Species Plan'.
- 8.13.10. Section 4.2 of the Bats - Preliminary Roost Assessment and Ground Level Tree Assessment details mitigation measures including "*Lighting on site should be directed away from existing buildings/structures, treelines, foraging habitat, and commuting habitat.*" In particular it is stated that "*Where possible, all trees /treelines/woodland areas within the red line boundary should be retained within the development.*"
- 8.13.11. I am satisfied the proposed measures are a reasonable and typical measures that adequately and reasonably address concerns regarding adverse impacts to bats in the context of the subject application.
- 8.13.12. As considered in section 8 of this report and notwithstanding the submission of an NIS, bat species are not qualifying interests for the identified SAC. A requirement for a dedicated lighting management plan is not considered necessary and I am satisfied lighting concerns are adequately addressed as per the measures proposed. It is also noted that section 4.2.4 of the Badger Survey Report states- "*Permanent lighting should not illuminate the woodland, hedgerows or grassland on or adjacent to site*".
- 8.13.13. I note concerns raised regarding a lack of consideration of wider terrestrial habitat for Smooth Newt and Amphibian Habitats. Amphibians are considered in the

Preliminary Ecological Appraisal³⁶. I have also considered the 'Smooth Newt - Habitat Suitability Index (HSI) Assessment which details a desk study was undertaken to consider the site and surrounding area within 2 km. this was supported by a field survey. I am satisfied this provides a robust and reasonable consideration of the matters and further consideration of wider terrestrial habitat has not been substantiated in the appeals.

8.13.14. I note concerns raised regarding watercourse crossings. In this instance it would appear that the development will require crossing of watercourses while laying cable connections between the north and south parcels of the application site. The Commission will be aware that consent for certain works under Section 50 of the Arterial Drainage Act, 1945 is a separate statutory process and not governed under the Planning Code. Works in this regard are to the public road and will also be subject to the provisions of the other codes such as a Road Opening Licence. Having considered these and subject to appropriate planning conditions I am satisfied this concern has not been substantiated. I am satisfied that all potential for hydrological related impacts have been adequately addressed in the information on file including the submitted AASR and NIS and can be further addressed by suitable planning conditions as appropriate.

8.13.15. I have reviewed the submitted information including all the information on file and the contents of appeals and responses to same. I have also undertaken a site inspection. Overall, I consider that the submitted Biodiversity and Ecological related information (including FI submissions) represent a robust and reasonable assessment of the matters pertinent to Biodiversity and Ecology. Having considered the nature of the application and the context of the site and the proposal, I am satisfied the likely biodiversity and ecological impacts of the proposed development would be acceptable and would not have a significantly negative/adverse impact on overall biodiversity, subject to planning condition and the measures detailed in the application.

³⁶ Page 7

8.14. Other Matters

8.14.1. Flooding/Drainage

8.14.2. I note some concerns are raised in relation to surface water drainage proposals, the need for a justification test and the potential for flooding if run off from the site increases.

8.14.3. The application is predominantly for a solar farm which in the context of the site area has very little physical intrusion into the site. In this regard the existing 'greenfield' drainage scheme for the site largely remains intact. While the proposals involves some areas of hardstanding I note proposed access tracks are to be finished in permeable materials, roadside drainage will be installed as required³⁷ and surface water drainage proposals are clearly detailed in the CEMP³⁸ i.e.-

"A comprehensive surface water drainage strategy will be prepared in accordance with the existing natural drainage regime at the site. This will be undertaken in line with the requirements of Drainage Systems for National Roads (TII Publication DN-DNG-03022, February 2024), which provides best practice guidance for the design, implementation, and maintenance of road drainage systems" and

"The drainage design will ensure that post-development runoff rates do not exceed existing greenfield runoff rates, thereby preventing any adverse impact on the surrounding water environment."

8.14.4. The Applicant has submitted a Flood Risk Assessment with the application which finds that the site is not located within Flood Zone A and/or B and therefore the risk of fluvial flooding is low.

8.14.5. I have reviewed Volume 4 of the LCDP and in particular Appendix II- 'Flood Risk Indicator and Zone Mapping'. Page 3 appears to identify the site outside of the 1% and 0.1% AEP Fluvial extents or zone A and B as per the 2009 Flood Risk Guidelines.

³⁷ See section 1.3.6 of the Appropriate Assessment Screening and Natura Impact Statement

³⁸ See Section 2.2.5

8.14.6. I also note the contents of the report from LCC's Environment section while addressing flooding and does not raise any specific flood risk concerns or identify the site within Flood Zone A or B where a Justification Test may be warranted.

8.14.7. The proposed development of a solar farm will have limited intrusion on the existing greenfield nature of the site save for areas of proposed development such as the BESS and substation (subject to further planning application').

8.14.8. Section 3.3.3 of the CEMP details that-

"The compound area will be surfaced with crushed stone and will incorporate interceptor drainage to manage surface water runoff. A silt trap and oil/water separator will be installed downstream of the compound's surface water drains to ensure that no contaminated runoff enters the receiving environment (the nearby stream/drainage network). The surface water discharge rate will be controlled via a hydrobrake or similar flow control device to match the pre-development runoff rate (Q_{bar}), thus ensuring no undue impacts (such as increased flood risk or pollution) occur to the receiving environment. Regular inspection and maintenance of the silt trap and separator will be performed."

8.14.9. Having considered all of the above and subject to suitable planning conditions, I am satisfied there is limited or no risk arising from flooding and surface water disposal.

8.14.10. Notwithstanding any of the above regarding flooding/drainage the Commission is reminded of my recommendation to omit the BESS facility as discussed in section 7.7 of this report.

8.14.11. **Community Benefit Scheme**

8.14.12. Concerns are raised regarding benefits to the local community including seeking same by condition. Requirements for a Community Benefit Fund are generally managed under the Government's Renewable Electricity Support Scheme (RESS) and not through the Planning System. Furthermore I do not consider granting the proposal would set an adverse precedent in this regard.

8.14.13. **Precedents**

8.14.14. The Appeals refer to a number of planning cases including Longford and elsewhere in Ireland which are argued to determine precedents relevant to the

consideration of the matters raised in the appeals. I have considered these cases where adequately described, considered relevant to the matters raised and in the context of the subject application. Notwithstanding these, the subject application should be considered on its own merits and I do not consider the precedents cited are directly attributable to the subject case and its context.

8.14.15. **Greenhouse Gas Assessment & Sustainability Report**

8.14.16. I note concerns highlighting deficiencies in the Lifecycle Greenhouse Gas Assessment as detailed in an Appeal including the absence of a cradle to grave environmental assessment.

8.14.17. I have reviewed the Greenhouse Gas Assessment & Sustainability Report submitted with the application and note the findings of same. It concludes-

“the Ballymahon Solar Farm and BESS will provide a measurable contribution to Ireland’s renewable energy targets while delivering substantial net carbon savings, supporting climate policy objectives, and embedding sustainable practices throughout its lifecycle. The project therefore represents a positive, long-term contribution to the transition towards a low carbon and climate-resilient energy system”

8.14.18. Given the large policy basis support for renewable energy development such as that proposed, including the matters as discussed in section 8.2 and 8.3 of this assessment and in the absence of a policy basis to the contrary, I consider a requirement for a ‘*cradle to grave*’ environmental assessment excessive and unwarranted in the context of the proposed development and the application site.

8.14.19. **Decommissioning**

8.14.20. I have considered the nature of the appeals regarding the absence of details regarding decommissioning in the context of section 8.2 and 8.3 above.

8.14.21. I note the Applicant has submitted a Decommissioning Report with the application which addresses decommissioning and final site restoration activities planned for the site. The Plan details it is predicated on the assumption that the facility will be fully decommissioned and restored after the planned 40-year period, or upon a decision to cease operations.

- 8.14.22. I am satisfied the decommissioning plan is sufficient to adequately address concerns in this regard. Notwithstanding same it is appropriate that final matters regarding decommissioning be addressed through a planning condition.

9.0 Appropriate Assessment

9.1. Screening Determination (Stage 1)

- 9.1.1. In accordance with Section 177U(4) of the Planning and Development Act 2000, as amended and on the basis of objective information. I conclude that the proposed development is likely to have significant effects on the Lough Ree SAC (000440) and the Lough Ree SPA (004064) from impact mechanisms generally associated with surface water pollution, ground water pollution, direct mortality, disturbance, habitat fragmentation and loss of foraging habitat during construction and/or operation.
- 9.1.2. It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 as amended is required on the basis of the effects of the project 'alone'.
- 9.1.3. A number of concerns are raised in the Appeals that may be considered relevant to AA. Only relevant matters as appropriate in the context of AA are considered in this assessment e.g. qualifying interests and special conservation interests.
- 9.1.4. No measures intended to avoid or reduce harmful effects on European sites were considered in reaching this conclusion.

See Appendix 3 for AA Screening.

9.2. Appropriate Assessment (Stage 2)

- 9.2.1. The development of the proposed Solar Farm, BESS and ancillary infrastructure has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.
- 9.2.2. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposal may have a significant effect on the Lough Ree SAC (000440) and the Lough Ree SPA (004064). Consequently, an Appropriate

Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

- 9.2.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Lough Ree SAC (000440) and the Lough Ree SPA (004064) or any other European site, in view of those sites' Conservation Objectives.
- 9.2.4. This conclusion is based on a full and detailed assessment of all aspects of the proposed development including proposed mitigation measures in relation to the Conservation Objectives of the European sites and an assessment of likely in-combination effects with other plans and projects. No reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the European Sites.

See Appendix 4 for Stage 2 Appropriate Assessment.

10.0 Water Framework Directive (WFD)

- 10.1. See Appendix 5.
- 10.2. Water concerns in the context of the Water Framework Directive (WFD) were raised in the appeals. Please also refer to section 8.8 in relation to the omission of the proposed BESS facility, section 9 and Appendices 3 and 4 in respect to AA.
- 10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status) and to prevent deterioration.
- 10.4. Having considered the nature, scale and location of the project, and in particular the absence of information in relation to the BESS facility in respect of a firefighting strategy, water supply arrangements and the intended surface water strategy in the event of a significant fire, I am not satisfied that that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or

permanent basis or that it would otherwise jeopardise any water body in reaching its WFD objectives.

- 10.5. I have not recommended a refusal on this basis however and instead recommend the BESS facility be omitted from a grant of permission for the remaining solar farm development.
- 10.6. On this basis an assessment of the proposed development (with BESS omitted) has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Water Action Plan 2024: A River Basin Management Plan for Ireland.
- 10.7. The receiving water environment has been identified and assessed, see Appendix 5. Having regard to the nature, scale and location of the proposed development and the mitigation measures as incorporated into the design and proposed and the omission of the BESS by condition it is concluded that the proposed development will not:
- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
 - Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
 - Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through the proposed mitigation measures, conditions including the implementation of an agreed Construction Environmental Management Plan (CEMP).

- 10.8. The proposed development as amended by condition is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

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

12.0 Reasons and Considerations

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

And in coming to its decision, the Commission had regard to the following:

- European legislation, including of particular relevance:
 - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
 - EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025)
 - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
 - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- National and regional planning and related policy, including:
 - National policy with regard to the development of alternative and indigenous energy sources and minimisation of emissions from greenhouse gases, particularly the NPF First Revision 2025 and National Policy Objective 70.

- The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and Local planning policy, including:
 - Regional Spatial Economic Strategy for the Southern Region 2019-31;
 - Longford County Development Plan 2021-2027.
- Other relevant national policy and guidance documents.
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites.
- The reports of the Planning Authority and the further information received from the applicant on [DATE] and submissions received in response to same.
- The submissions made on the planning application to the Planning Authority.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

Proper Planning and Sustainable Development

It is considered that subject to compliance with the conditions set out below the proposed development would accord with European, National, Regional and Local planning and related policy, would be consistent with the provision of the Climate Action Plan 2024 and would make a positive contribution towards Ireland's renewable energy and security of energy supply requirements. The proposed development would not seriously injure the visual and residential amenities of the area, would not have an unacceptable impact on the character of the landscape or on cultural heritage, would not create a traffic hazard or endanger public safety, would not have undue impacts on surrounding land uses, would not have an unacceptable impact on ecology, biodiversity or on any European Site and would not

lead to an increased risk of flooding within the site or adjoining lands. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment-

The development of the proposed Solar Farm with ancillary infrastructure has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000, as amended.

The Commission, having carried out screening for Appropriate Assessment of the project, concludes that the proposal may have significant effects on the Lough Ree SAC (000440) and the Lough Ree SPA) (001398). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

Following an Appropriate Assessment, the Commission has ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Lough Ree SAC (000440) and the Lough Ree SPA) (001398). or any other European site, in view of the sites' Conservation Objectives.

This conclusion is based on a full and detailed assessment of all aspects of the proposed development including proposed mitigation measures in relation to the Conservation Objectives of the European sites and an assessment of likely in-combination effects with other plans and projects. No reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the European Sites.

EIA Screening Determination

12.1.1. Having regard to-

- The nature and scale of the proposed development, which is not a class of development set out in Schedule 5, Parts 1 and 2 of the Planning and Development Regulations 2001 as amended;
- The location of the proposed development;

- The nature of the existing site and the pattern of development in the surrounding area;
- The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as revised, and;
- The features and measures proposed by the Applicant intended to avoid or prevent adverse effects on the environment, including measures identified in the submitted Natura Impact Statement and Flood Risk Assessment (and related Further Information submissions) and other Ecological related reports on file.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 1st day of April 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- (a) The Battery Energy Storage System, compound, fencing and ancillary structures shall be omitted entirely from the permitted development.

Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity, public safety and of the protection of the environment

3. The period during which the development hereby permitted may be carried out shall be five years from the date of this order.

Reason: In the interest of clarity.

4. (a) The permission shall be for a period of forty years from the date of the commissioning to decommissioning of the solar array. The solar array and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

(b) Prior to commencement of development, a detailed restoration plan, including a timescale for its implementation, providing for the removal of the solar arrays, including all foundations, anchors, concrete shoes, inverter/transformer stations, control building, CCTV cameras, fencing and site access to a specific timescale, shall be submitted to, and agreed in writing with, the planning authority.

(c) On full or partial decommissioning of the solar farm, or if the solar farm ceases operation for a period of more than one year, the solar arrays, including foundations/anchors/concrete shoes, and all associated equipment, shall be dismantled and removed permanently from the site. The site shall be restored in accordance with this plan and all decommissioned structures shall be removed within three months of decommissioning

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

5. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented in full.

Reason: To protect the integrity of European Sites.

6. All of the environmental, construction, operational and ecological mitigation measures, suggestions and recommendations, as set out in the documentation submitted with the application and all other particulars submitted with the application including at Further Information stage, shall be implemented by the developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this Order. Where such measures require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development.

Reason: In the interests of clarity and of the protection of the environment during the construction and operational phases of the development.

7. The Applicant shall appoint a suitably qualified ecologist to monitor and ensure that all avoidance/mitigation measures relating to the protection of flora and fauna are carried out in accordance with best ecological practice and to liaise with consultants, the site contractor, and the planning authority. A report on the implementation of these measures shall be submitted to the planning authority and retained on file as a matter of public record.

Reason: To protect the environmental and natural heritage of the area.

8. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

9. Prior to the commencement of development pre-commencement surveys for protected plant, animal species and invasive species shall be undertaken at the site and where required the appropriate licence to disturb or interfere with same shall be obtained from the National Parks and Wildlife Service.

Reason: In the interest of wildlife protection.

10. The developer shall comply with the transportation and roads requirements of the planning authority. Prior to commencement of development, a finalised transport management plan for the construction stage shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of traffic safety.

11. A finalised Landscape Mitigation and Biodiversity Plan to include biodiversity enhancement measures for the application site and in accordance with the plan already submitted, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The site shall thereafter be managed in accordance with the agreed plans. These plans shall cover a period of at least five years and shall include for all other mitigation including the arrangements for implementation of same. Landscape planting shall utilise native species of local origin, reflecting those species naturally occurring in the locality.

Reason: To ensure the preservation and protection of flora and fauna within the site and provide for the satisfactory future maintenance of this development in the interest of visual amenity.

12. Before construction commences on site, details of the structure of the security fence showing provision for the movement of mammals at regular intervals shall be submitted for prior approval to the planning authority.

Reason: To allow wildlife to continue to have access across the site and in the interest of biodiversity protection.

13. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development.

Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation (preservation in-situ/excavation).

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

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

14. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation

from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

15. (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission
- (b) CCTV cameras shall be fixed and angled to face into the site and shall not be directed towards adjoining property or the road;
- (c) Cables within the site shall be located underground.
- (d) The solar panels shall have driven or screw pile foundations only (save those proposed with concrete shoes), unless otherwise authorised by a separate grant of planning permission
- (e) The transformers/ inverters shall be dark green in colour.

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

16. The construction of the development shall be managed in accordance with a Construction Management Plan, to include a Construction Traffic Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) location of the site and materials compound(s);
- b) location of areas for construction site offices and staff facilities;
- c) details of site security fencing and hoardings;
- d) details of on-site car parking facilities for site workers during the course of construction;
- e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

- f) measures to obviate queuing of construction traffic on the adjoining road network;
- g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- i) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- j) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and
- k) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water drains or watercourses.
- l) details of on-site re-fuelling arrangements, including use of drip trays;
- m) details of how it is proposed to manage excavated soil;

The finalised Construction and Environmental Management Plan shall also take account of the mitigation measures outlined within the NIS.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

17. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest noise sensitive location. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

18. (a) Construction activity shall be managed in accordance with a construction noise and vibration management plan, which shall be agreed in writing with the planning authority prior to the commencement of development.

This plan should be subject to periodic review and shall specify the construction practice, including measures for the suppression and mitigation of on-site noise and vibration.

- (b) The plan shall be developed having regard to, and all construction activity shall be undertaken in accordance with, best practise guidelines, including BS 5228-1:2009+A1:2014, parts 1 & 2.

- (c) The mitigation measures described in the Environmental Noise Assessment Report and the Traffic Management Plan shall be implemented in full.

- (d) Prior to the commencement of development, a plan for the phased development of the site shall be submitted to and agreed in writing with the planning authority which shall seek to maximise separation from site boundaries at commencement of works and move progressively across the site.

Reason: In order to protect the amenities of the area.

19. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services and shall otherwise comply with submitted Site Specific Flood Risk assessment and associated documentation. A drainage management plan shall be developed for the construction and the operational phases of the development to include details of the proposed access routes and drains and is to be submitted to the planning authority for approval prior to commencement of development.

Reason: In the interests of environmental protection and flood prevention.

20. Water supply and drainage arrangements, including the attenuation and disposal of surface water, the provision of rainwater harvesting shall comply

with the requirements of the planning authority for such works and services. The developer shall agree such details in writing with the planning authority prior to commencement of development.

Reason: In the interest of environmental protection.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and

Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Adrian Ormsby
Senior Planning Inspector

30th of September 2026

14.0 Appendix 1 Form 1 EIA Pre-Screening

An Bord Pleanála Case Reference		PL-501476-LD-26	
Proposed Development Summary		Solar Farm, BESS and ancillary works	
Development Address		Tirlickeen Td, Cartronbrack Td, Clogh Td, Corryena Td, Lismacmorrough Td, Co. Longford.	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)			Yes ☒ No ☐
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	☒	Part 2- Class 1 (a) 'restructuring of rural land holdings'	Proceed to Q3
No	☐		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	☐	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	☒		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	☒	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold. Class 1A- <i>Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares.</i> Applicants EIASR states- ".....widening small elements of the hedgerow" detailed in section 2.1.2 of Applicants EIASC. Section 2.2.6 details "a total of 132m of hedgerows will be removed"	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
Yes	☒	Screening Determination required	

Inspector: _____

Date: 30th of September 2026

15.0 Appendix 2: Form 3 EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	PL-501476-LD-26	
Development Summary	Solar Farm BESS and ancillary works	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	No	LCC's 'Planners Report' details the proposed development the proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 (as amended) nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR and will not on its own or cumulatively with other projects result in significant effects on the environment and as such an EIAR is not required.
2. Has Schedule 7A information been submitted?	Yes	Section 1.2 of the submitted EIA Screening Report states- <i>"This Screening provides the information required under Schedule 7A, having regard to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001-2025 to enable a screening determination in respect of the need for an Environmental Impact Assessment Report (EIAR) for the proposed development."</i>

3. Has an AA screening report or NIS been submitted?	Yes	An AA Screening Report and NIS have been submitted. The NIS concludes - <i>“Where the potential for any adverse effect on any Natura 2000 site has been identified, the pathway by which any such effect may occur has been robustly mitigated, through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction, operation and decommissioning of the Proposed Development will not adversely affect the integrity of Natura 2000 sites.</i> <i>Therefore, it can be objectively concluded that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any Natura 2000 site.”</i>
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	As part of the Longford County Development Plan 2021-2027- • Strategic Environmental Assessment • Natura Impact Report • Strategic Flood Risk Assessment

B. EXAMINATION	Where relevant, briefly describe the characteristics of impacts (i.e. the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)		
1.1 Is the project (removal of c. 132m of hedgerow) significantly different in character or scale to the existing surrounding or environment?	The removal of c. 132m of hedgerow is not significantly different in character or scale to the existing surrounding or environment.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	The removal of c.132 m of hedgerow will not cause significant physical changes to the locality	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Not considered likely or significant	No
1.4 Will the project involve the use, storage, transport, handling or production of substance	Not considered likely or significant	No

which would be harmful to human health or the environment?		
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Not considered likely or significant	No
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Not considered likely or significant	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Some noise and vibration. Not considered likely or significant	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Not considered likely or significant	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	There are always such risks in such projects. Not considered likely or significant	No
1.10 Will the project affect the social environment (population, employment)	Notwithstanding the public submissions and appeals received on the application I don't consider the proposal will significantly impact the social environment.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	The removal of c.132m of hedgerow is considered	No

	cumulatively with the solar farm, BESS and ancillary structures. It is also reasonable to consider the wider proposal in the context of Policy support for renewable developments including PL-500085-LD which remains under consideration in the general area. Together these could be considered to have a wider large scale change that could result in a cumulative effect on the environment and in particular the landscape. However, having regard to the sites location, the LCA's as set out in the CDP and matters discussed in section 8.3 and 8.12 of the main report and subject to the measures proposed with the application, standard best practise construction methods, site management and planning conditions cumulative effects on the environment are not considered significant or likely.	
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2. Location of proposed development		
2.1 Is the proposed removal of c. 132m of hedgerow located on, in, adjoining or does it have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve d) Designated refuge for flora or fauna e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	See section 5.6 of the main report. The removal of c. 132m of hedgerow is not likely to give rise to significant adverse effects.	No
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	Having considered all of the submitted documentation on file and having regard to measures proposed, best practise construction and operation methods, good site management and planning conditions I do not consider the proposed removal of removal of c. 132m of hedgerow will have significant effects in this regard.	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	I have considered all such information on file, including the reports of the DAU on file. I have	No

	also had regard to relevant matters raised in appeals. Subject to mitigation measures proposed, standard best practise construction methods, site management and appropriate planning conditions, I do not consider the removal of c. 132m of hedgerow likely to have significant effects in this regard.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	The drainage regime within and around the site discharges to Lough Ree SAC and SPA Subject to measures proposed including those set out in the CEMP, standard best practise construction methods, site management and planning conditions I am satisfied any resource detailed will not be significantly affected as a result of the removal of c. 132m of hedgerow.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	I have noted the location of watercourses and drainage ditches on and near the site. I have considered the contents of the CDP's Strategic Flood Risk	No

	Assessment and the submitted FRA and Hydrology & Hydrogeology information all as supplemented by FI. I do not consider the removal of c. 132m of hedgerow will affect any water resources significantly in terms of volume and flood risk. I am satisfied that subject to the measures proposed, standard best practise construction methods, site management and planning conditions, no water resource is likely to be significantly affected.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	I have not identified any evidence to suggest such susceptibility.	No
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	The site is located well away from National Roads or Motorways. The site is bound by a local L-5227 and Regional Road- R397 The development proposes use of existing agricultural entrances for construction and operation subject to some hedgerow widening works. Subject to measures proposed, standard best practise construction methods, site management and planning	No

	conditions the proposal is not likely to cause significant congestion or cause significant impacts in this regard.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	I note a number of one-off houses and other structures in the wider area. Subject to appropriate planning conditions the removal of c. 132m of hedgerow will not have significant adverse impacts in this regard.	No
3. Any other factors that should be considered which could lead to environmental impacts		
3.1 Cumulative Effects: Could the removal of c. 132m of hedgerow together with the wider development of a solar farm with BESS and other existing and/or approved development result in cumulative effects during the construction/ operation phase?	The potential for cumulative construction impacts is considered. The Commission should have regard to the decision it may make on PL-500085-LD (also a solar farm and BESS) if decided upon before this appeal. Together the removal of c. 132m of hedgerow and the two planning applications as a whole could be considered to contribute to a wider large scale change that could result in a cumulative effect on the environment and in particular the landscape.	No

	Having considered the nature of the developments, the submitted LVIA, the site context and the provisions of the LCDP and subject to appropriate planning conditions, I do not consider the proposal likely to have significant adverse impacts on the environment. Cumulative operational impacts are not considered significant.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	The removal of c. 132m of hedgerow is contained wholly in Co. Longford and is not considered to have potential for transboundary effects.	
3.3 Are there any other relevant considerations?	No	No
C. CONCLUSION		
No real likelihood of significant effects on the environment.	✓	EIAR Not Required
Real likelihood of significant effects on the environment.		
D. MAIN REASONS AND CONSIDERATIONS		
Having regard to-		

- The nature and scale of the proposed development, which is not a class of development set out in Schedule 5, Parts 1 and 2 of the Planning and Development Regulations 2001 as amended;
- The location of the proposed development;
- The nature of the existing site and the pattern of development in the surrounding area;
- The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised;
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as revised, and;
- The features and measures proposed by the Applicant intended to avoid or prevent adverse effects on the environment, including measures identified in the submitted Natura Impact Statement and Flood Risk Assessment (and related Further Information submissions) and other Ecological related reports on file.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

Inspector _____ Date: 30th of September 2026

DP/ADP _____ Date: _____

16.0 Appendix 3- AA Screening Determination

16.1. Introduction

16.1.1. I have considered the proposed development of a Solar Farm, BESS and ancillary works in light of the requirements of S177U of the Planning and Development Act 2000 as amended. An AA Screening Report (AASR) and Natura Impact Statement (NIS) have been submitted by the Applicant. These reports have been prepared by Tetra Tech Limited and are both dated September 2025.

16.1.2. The Stage 1 AA screening is set out in section 4.0 of the document. Section 4.4 is titled 'Screening Assessment for Stand Alone Likely Significant Effects'. This presents a table in which Likely Significant Effects are considered

16.1.3. The Executive Summary page presents Appropriate Assessment Screening Results and states-

“The Appropriate Assessment Screening results identify the following impact pathways that could result in a likely significant effect upon Lough Ree SPA and Lough Ree SAC:

- *Surface water pollution...*
- *Ground water pollution*
- *Direct mortality (of qualifying species) .*
- *Disturbance during Construction*
- *Habitat fragmentation ; and*
- *Damage to /loss of foraging habitat*

concludes-

“In the absence of mitigation measures during construction to control potential pollution of surface water, the potential effect on the Rye Water Valley/Cartron SAC is uncertain.

16.2. Description of the Site and Project

- 16.2.1. Please refer to section 1 and 2 of the main report for a description of the site and the proposed development. The site and proposal are also well described in sections 1 and 2 of the submitted AASR and NIS for the application.
- 16.2.2. The subject site includes two large parcels of land, within which there are a number of existing agricultural fields. The parcels are generally divided by a local road with the largest parcel to the north with two others to the south.
- 16.2.3. Baseline habitats for the site are identified and presented in the Updated Ecological & Protected Species Assessment received in response to LCC FI request³⁹ in accordance with Fossitt. This is then presented as a map in Figure 3- Fossitt Level 3 Habitat Map⁴⁰ and is dated 19 March 2026.
- 16.2.4. The development site is categorised⁴¹ as consisting of the following habitat types primarily GA1 - Improved agricultural grassland, some WD1 - (Mixed) broadleaved woodland along the southern and eastern boundary of the northern parcel 1 and an area of WD4 - Conifer plantation in the southern parcel. FW4 - Drainage ditches are located towards the northern boundary of the northern parcel as well as in parts of the southern parcel. FW2 - Depositing/lowland rivers are identified in the southern parcel. While stretches of the public road between the two parcels (i.e. roads L5527 and R397 for c. 1.5km) are within the application site, they are not identified in Figure 3. I am satisfied this would generally be Buildings and Artificial Surfaces (BL3). These descriptions and others presented in the Figure 3 map are consistent with my observations on site.
- 16.2.5. The Coimisiún are advised that the drainage ditches and watercourse located within the site are tributaries of the River Inny which discharges into Lough Ree. Section 1.2.2 details these tributaries flow under the Royal Canal and are not hydrologically connected to the canal. The Coimisiún is also advised that section 1.2.3 details that the groundwater body Inny (IE_SH_G_110) spans the entire site and also underlies areas of Lough Ree thereby providing groundwater connectivity.

³⁹ Date stamped 01/04/2026. This is Appendix XIII and is prepared by Tetra Tech.

⁴⁰ The actual map has a title describing it as Figure No. 2 but this is a likely typing error.

⁴¹ In accordance with the Heritage Council publication "A Guide to Habitats in Ireland" (Fossitt, 2000).

16.2.6. In general the proposed development comprises a Solar Farm consisting of a series of ground mounted solar photovoltaic (PV) panels, mounted on steel support structures and ancillary development a BESS facility and ancillary structures. There does not appear to be any proposal for disposal of wastewater with question 20 of the application form indicating 'Not Applicable'.

16.3. **Potential impact mechanisms from the project**

16.3.1. The proposed development is not directly connected with or necessary to the management of a European site and therefore it needs to be determined if the development is likely to have significant effects on any European sites.

16.3.2. The proposed development is examined in relation to any possible interaction with European sites, i.e. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

16.3.3. Taking account of the characteristics of the proposed development and the details submitted in section in terms of its location and the scale of works, the following mechanisms (impact pathways) are considered for examination in terms of implications for likely significant effects on European sites:

- Surface water pollution
- Ground water pollution
- Direct mortality (of qualifying species) .
- Disturbance during Construction
- Habitat fragmentation and
- Damage to / loss of foraging habitat

16.4. **European Sites at Risk**

16.4.1. The Executive Summary⁴² states-

⁴² Page 6

“A zone of influence for the Proposed Development of 15 kilometers was determined to be appropriate”

The Coimisiún will note that OPR guidance states-

“The identification of European sites within a 15km zone has become common practice in screening projects for AA. However this approach is not based on the S-P-R model and should not be used for projects. Few projects have a zone of influence this large, but some more complex projects may require a greater zone of investigation.”

16.4.2. For the purpose of this assessment while I have considered the Applicants AASR I do not rely on it for the purpose of identifying the ZoI. I instead, rely on the S-P_R Model in accordance with current guidance.

16.4.3. Section 4.4 and Table 2 of the Applicant's AASR identifies impact pathways via hydrological connectivity via ground and surface water to-

- Lough Ree SAC (000440) and
- Lough Ree SPA (004064)

16.4.4. Using the Source Pathway Receptor Model and having regard to the content of the AASR in particular regarding Qualifying Interest and Special Conservation Interest, I consider the following designated European sites as set out in Table 1 below within the within a zone of influence of the proposed development i.e. there is an ecological connection or other pathway-

Table 1: European Sites at risk from impacts of the proposed project			
European Site	Qualifying Interests (summary)	Distance	Connections
Lough Ree SAC (000440)	• Natural eutrophic lakes with Magnopotamion or Hydrocharition -type vegetation [3150] • Alkaline fens [7230]: and • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] • Otter (<i>Lutra lutra</i>) [1355]	c. 5 km to south west	Hydrological-surface and ground Disturbance
Lough Ree SAC (004064)	• Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] • Whooper Swan (<i>Cygnus cygnus</i>) [A038] • Teal (<i>Anas crecca</i>) [A052] • Mallard (<i>Anas platyrhynchos</i>) [A053] • Tufted Duck (<i>Aythya fuligula</i>) [A061] • Common Scoter (<i>Melanitta nigra</i>) [A065] • Goldeneye (<i>Bucephala clangula</i>) [A067] • Coot (<i>Fulica atra</i>) [A125]	c. 5 km to south west	Hydrological-surface and ground

	• Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Lapwing (<i>Vanellus vanellus</i>) [A142] • Common Tern (<i>Sterna hirundo</i>) [A193] • Wigeon (<i>Mareca penelope</i>) [A855] • Shoveler (<i>Spatula clypeata</i>) [A857] • Wetland and Waterbirds [A999]		
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16.4.5. Having applied the Source-Pathway-Receptor Model, I do not consider there to be any significant ecological or hydrological connectivity with any other European Site that warrants either sites inclusion further in this screening exercise.

16.5. Likely significant effects on the European sites ‘alone’

Table 2: Could the project undermine the conservation objectives ‘alone’							
European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?					
		Surface water pollution	Ground water pollution	Direct mortality	Disturbance	Habitat fragmentation	foraging habitat
Lough Ree SAC (000440)	https://www.npws.ie/protected-sites/sac/000440						
Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]	To restore the favourable conservation condition	Y	Y	N	N	N	N
Alkaline fens [7230]	To maintain the favourable conservation condition	Y	Y	N	N	N	N

Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	To maintain the favourable conservation condition	Y	Y	N	N	N	N
Otter (<i>Lutra lutra</i>) [1355]	To maintain the favourable conservation condition	N	N	N	Y	N	Y
European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?					
		Surface water pollution	Ground water pollution	Direct mortality	Disturbance	Habitat fragmentation	Foraging habitat
Lough Ree SPA (004064)	https://www.npws.ie/protected-sites/sac/001398						
Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]	To maintain the favourable conservation condition	N	N	N	N	N	Y
Whooper Swan (<i>Cygnus cygnus</i>) [A038]	To restore the favourable conservation condition	N	N	N	Y	N	Y

Teal (<i>Anas crecca</i>) [A052]	To restore the favourable conservation condition	N	N	N	N	N	Y
Mallard (<i>Anas platyrhynchos</i>) [A053]	To restore the favourable conservation condition	N	N	N	N	N	Y
Tufted Duck (<i>Aythya fuligula</i>) [A061]	To maintain the favourable conservation condition	N	N	N	N	N	Y
Common Scoter (<i>Melanitta nigra</i>) [A065]	To restore the favourable conservation condition	N	N	N	N	N	Y
Goldeneye (<i>Bucephala clangula</i>) [A067]	To restore the favourable conservation condition	N	N	N	N	N	Y
Coot (<i>Fulica atra</i>) [A125]	To maintain the favourable conservation condition	N	N	N	N	N	Y
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	To restore the favourable conservation condition	N	N	N	Y	N	Y
Lapwing (<i>Vanellus vanellus</i>) [A142]	To restore the favourable conservation condition	N	N	Y	Y	N	Y

Common Tern (Sterna hirundo) [A193]	To restore the favourable conservation condition	N	N	N	N	N	Y
Wigeon (Mareca penelope) [A855]	To restore the favourable conservation condition	N	N	N	N	N	Y
Shoveler (Spatula clypeata) [A857]	To maintain the favourable conservation condition	N	N	N	N	N	Y
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition	N	N	N	N	N	Y

- 16.5.3. Having considered all of the above, including the Applicants submitted AASR, I conclude that the proposed development could during construction and operation have 'Likely Significant Effects' 'alone' on the Qualifying Interests and Special Conservation Interests identified above from the impact mechanisms also described above.
- 16.5.4. A stage 2 Appropriate Assessment is therefore required on the basis of the effects of the project 'alone.' Further assessment of in-combination with other plans and projects is not required at this point.

16.6. Overall Conclusion - Screening Determination

- 16.6.1. In accordance with Section 177U(4) of the Planning and Development Act 2000, as amended and on the basis of objective information. I conclude that the proposed development is likely to have significant effects on the Lough Ree SAC (000440) and the Lough Ree SPA (004064) from impact mechanisms generally associated with surface water pollution, ground water pollution, direct mortality, disturbance, habitat fragmentation and loss of foraging habitat during construction and/or operation. It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 as amended is required on the basis of the effects of the project 'alone'.
- 16.6.2. No measures intended to avoid or reduce harmful effects on European sites were considered in reaching this conclusion.

17.0 Appendix 4- Appropriate Assessment

17.1. Introduction

- 17.1.1. The requirements of Article 6(3) as related to Appropriate Assessment of a project under part XAB, sections 177U and 177V of the Planning and Development Act 2000, as amended are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive,
- The Natura Impact Statement and associated documents, and

- Appropriate assessment of implications of the proposed development on the integrity of each European site.

17.2. Compliance with Article 6(3) of the EU Habitats Directive

- 17.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.
- 17.2.2. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

17.3. The Natura Impact Statement

- 17.3.1. The application included an Appropriate Assessment Screening and Natura Impact Statement (NIS) by Tetra Tech dated September 2025. The NIS is set out in section 5.0 and examines and assesses potential adverse effects of the proposed development on the following European Sites-

- The Lough Ree SAC (000440) and
- the Lough Ree SPA (004064)

- 17.3.2. The Applicant's NIS concludes that-

“Where the potential for any adverse effect on any Natura 2000 site has been identified, the pathway by which any such effect may occur has been robustly mitigated, through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction, operation and decommissioning of the Proposed Development will not adversely affect the integrity of Natura 2000 sites.

Therefore, it can be objectively concluded that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any Natura 2000 site.”

17.3.3. Having reviewed the documents, submissions and all other information on file, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

- The Lough Ree SAC (000440) and
- the Lough Ree SPA (004064)

17.4. Appropriate Assessment of implications of the proposed development

17.4.1. The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field as presented in the NIS. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

17.4.2. The following Guidance was considered in my assessment:

- OPR (2021) Practice Note PN01 Appropriate Assessment Screening for Development Management
- ‘The Status of EU Protected Habitats and Species in Ireland’ (2019) Article 17 of the Habitats Directive.
- DoEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service.
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC.
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC].

17.5. European Sites

17.5.1. The following sites are considered in this Appropriate Assessment:

- the Lough Ree SAC (000440) and
- the Lough Ree SPA (004064)

17.5.2. Section 1.2.2 and 1.2.3 of the Applicants AASR and NIS discusses Hydrology and Geology & Hydrogeology. These sections establish connectivity between the application site and the European Sites via surface waters and ground waters which I consider as indirect given the separation distances. Hydrological distance is estimated to be well in excess of 5 km and would be likely to allow for significant dilution and dispersion.

17.5.3. Section 5.1 discusses the Likely Significant Effects arising from-

- Surface water pollution (construction operation and decommission) impacting the QI's of the SAC identified in Section 14.5 Table 2-
 - *Anticipated potential impacts from the Proposed Development are silt run off and fuels/oils spills or other chemicals. Silt can increase turbidity, smother aquatic plants and deoxygenate the water. Fuel and other chemical spill can be toxic to aquatic life and deoxygenate water*
- Groundwater pollution (construction operation and decommission) impacting the SAC identified in Section 14.5 Table 2-
 - *Fuel, oil, chemical spills can be absorbed into the ground and then enter aquifers contaminating the groundwater for a large area. Due the toxic nature of these chemicals they can then have a adverse effect on a wide variety of organisms and habitats that are reliant on the groundwater in the SAC*
- Damage to foraging habitat during (construction operation and decommissioning) impacting the QI's and SCI's of the SAC and SPA identified in Section 14.5 Table 2-
 - Aquatic Foraging is linked to impacts from ground water and surface water pollution entering the Lough Ree and impacting both aquatic animals and plants that these QI and SCI species depend upon.

- Terrestrial Foraging- Lapwing, Golden plover and Whooper swan may make use of the site and adjacent habitat for foraging at certain times of the year i.e. ex situ impacts.
- These are considered potential direct and indirect effects
- Disturbance (construction and decommission) impacting the QI's and SCI's of the SAC and SPA identified in Section 14.5 Table 2-
 - Otter have the possibility to be using the woodlands on sites for holts and commuting up and down the tributaries on the Inny.
 - Whooper Swan, Lapwing and Golden Plover possibly feeding on the site at certain times of the year
 - These are considered potentially direct effects.

17.5.4. Having considered all of the above, I am satisfied the proposed development has the potential to have direct and indirect effects on the Qualifying Interests of the SAC and the Special Conservation Interests of the SPA as described above and these impacts could have the potential to undermine the Conservation Objectives for each European site.

17.6. Mitigation Measures

17.6.1. Section 5.3 of the NIS is titled 'Assessment of Potential Effects & Associated Mitigation'. The NIS details a CEMP will be produced which will include a number of measures which shall be implemented to protect the qualifying features of the Natura 2000 sites identified for assessment in the NIS i.e. Lough Ree SAC and SPA.

17.6.2. The measures to be included during the construction, operation and decommissioning stages of the proposed development are set out in section 5.3.1 and it is considered unnecessary to repeat them here. I have reviewed each measure detailed and am satisfied they are generally typical of such proposals and will serve the intended purpose. In particular I note the CEMP commits to be *"regularly reviewed and updated as necessary, informed by ecological monitoring results throughout the construction and operational phases."* Section 7.1 of the CEMP details "Ecology-related documentation and monitoring data" will be complied

and stored as required. Section 7.3 states '*all mitigation measures detailed in Section 4 will be monitored as appropriate.*'

17.6.3. The Applicant contends that measures for surface and ground water pollution during all works, direct mortality during construction, damage to foraging habitat during construction and disturbance during construction are generally sufficient to ensure that any potential adverse effect associated with the impact mechanisms will be fully mitigated. I share this view having regard to the extent of all phases including the decommissioning phase.

17.6.4. Subject to suitable planning conditions regarding these mitigation measures and to include agreement of CEMP with the Planning Authority, I am satisfied they will be sufficient to safeguard against adverse impacts to the Lough Ree SAC and SPA.

17.7. In-Combination Effects

17.7.1. It has already been established that there is potential for adverse impacts as identified from the project alone to undermine the conservation objectives of the Natura 2000 network. It is also necessary to consider in combination effects with other plans and projects

17.7.2. Section 5.2 of the Applicant's NIS discusses the potential for in-combination effects. It details a review of the Longford and Westmeath County Council's Planning Application Databases was undertaken to identify any potential for in-combination effects. These are presented in Table 3 of the NIS. This includes a 130ha solar farm proposal 2460325 which is currently before ACP under reference number PL-500085-LD. The Coimisiún may wish to consider this appeal in their deliberations. I note this site is located as close as 0.75km west of the subject application site. It is note that AA has been carried out for and it is detailed that there is no likely significant effect on any Natura 2000 site when mitigation is applied.

17.7.3. Another proposal detailed in the NIS includes a permitted WWTP where an NIS was also carried out and it was determined that following mitigation, that the project does not have the potential to adversely affect the conservation objectives of the Lough Ree SAC and SPA.

17.7.4. I have considered in-combination effects with developments listed in Table 3 of the Applicants NIS the planning appeal PL-500085-LD and its NIS. Having considered

the mitigation measures as proposed and subject to typical planning conditions, I am satisfied significant adverse in-combination effects to the Lough Ree SAC and SPA or any other European Site are not likely.

17.8. Integrity Test

- 17.8.1. Following the appropriate assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the integrity of the Lough Ree SAC (000440) and the Lough Ree SPA (004064) in view of their Conservation Objectives.

17.9. Appropriate Assessment Conclusion

- 17.9.1. The development of the proposed Solar Farm, BESS and ancillary infrastructure has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.
- 17.9.2. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposal may have a significant effect on the Lough Ree SAC (000440) and the Lough Ree SPA (004064). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.
- 17.9.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Lough Ree SAC (000440) and the Lough Ree SPA (004064) or any other European site, in view of those sites' Conservation Objectives.
- 17.9.4. This conclusion is based on a full and detailed assessment of all aspects of the proposed development including proposed mitigation measures in relation to the Conservation Objectives of the European sites and an assessment of likely in-combination effects with other plans and projects. No reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the European Sites.

18.0 Appendix 5- Water Framework Directive

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-501476-LD	Townland, address	Tirlickeen Td, Cartronbrack Td, Clogh Td, Corryena Td, Lismacmorrough Td, Co. Longford.
Description of project	Solar Farm, BESS and ancillary works		
Brief site description, relevant to WFD Screening	The proposed development site is within the River Inny catchment, discharging to Lough Ree approximately 5.6km south west of the site. The EIA screening report submitted with the application suggests Lough Ree is c. 12.6km. downstream. Two tributaries of the River Inny (EPA code IE_SH_26I011350) run along the northeast boundaries of the northern parcel and along the northern boundary of the southern parcel. The River Inny flows under the Royal Canal. The Canal is not hydrologically connected to the site. The Flood Risk Assessment details culverted tributaries and minor drainage ditches are present within the site particularly in Parcel 3 which is the eastern part of the southern parcel.		
Proposed surface water details	Question 20 of the application form indicates proposed surface water disposal will be to 'watercourse'. Section 5.2.2 of the Hydrology and Hydrogeology Assessment states- <i>"The existing drainage regime will be maintained where possible, allowing surface water to percolate through the groundwater and towards the River Inny or Lough Ree."</i>		

	Refer to drawings (original and FI)- 7426-JOD-XX-DR-P-301 and 7426-JOD-XX-DR-P-302 and the associated layout drawings which show proposals generally around the BESS compound (substation compound not part of this application)
Proposed water supply source & available capacity	Question 20 of the application form details <i>“Water will be brought in to site in Containers”</i> . A ‘Fire Safety Assessment and Advice Report’ was submitted as Unsolicited Further Information (date stamped 16/12/2025). This details consultations in advance of the application and “Preparation of a water supply document”. It then details water supply requirements from NFPA 855.
Proposed wastewater treatment system & available capacity, other issues	There are no proposals for wastewater discharge from the site.
Others?	N/A

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River Waterbody 3 Number	North Parcel-Tributaries of the River Inny (INNY_100) IE_SH_26I011350	Moderate	At risk	HYMO (hydromorphology), IS (Invasive Species)	Surface water runoff	Typical surface water mitigation measures contained in	Generally for the solar farm yes. However as regards the BESS and in particular fire related risks, insufficient

	South Parcel Tributary of the River Inny (INNY_100)- IE_SH_26I011350 (Note same EPA code for both above) EPA label INNY_110- Applicant refers to as Ledwithstown Stream a further tributary of the Inny. IE_SH_26I011400	Moderate Moderate	At risk Review	HYMO (hydromorphology), IS (Invasive Species) None identified	Surface water runoff Surface Water Runoff	Construction Environmental Management Plan (CEMP) and other documents e.g. Hydrology and Hydrogeology Assessment.	information submitted to including firefighting water containment and drainage strategy based on acceptable firefighting strategy for the site.
Groundwater Waterbody	Inny (IE_SH_G_110)	WFD Status (19-24) WFD Status (16-21) Poor (GW)	Poor Not at Risk	None identified	Groundwater	As per above	As per above